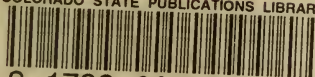


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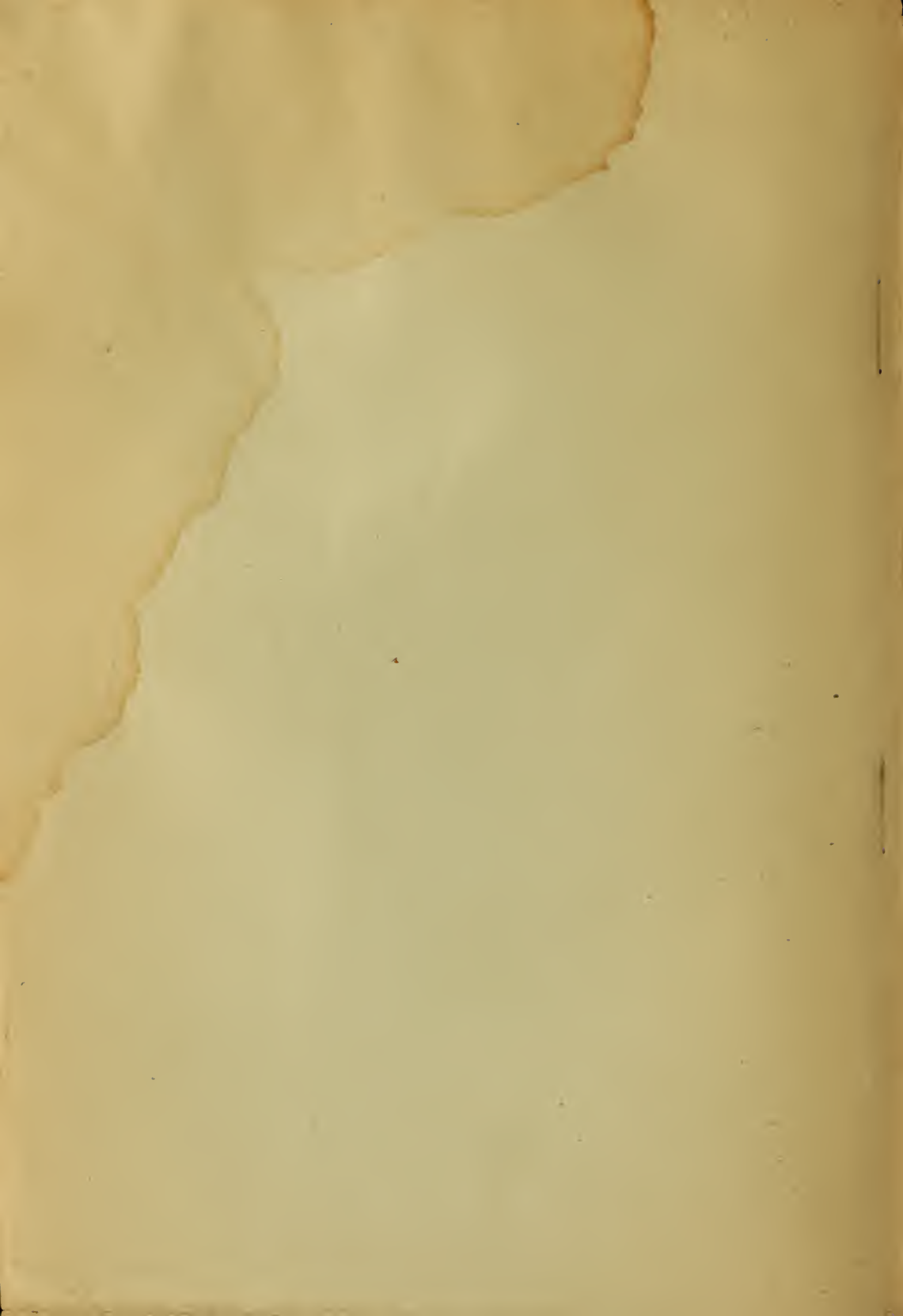
THE SCHOOL LAW  
OF THE  
STATE OF COLORADO

AS AMENDED TO DATE.

1900.



DENVER, COLORADO:  
THE SMITH-BROOKS PRINTING CO., STATE PRINTERS.  
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THIS PAMPHLET IS STATE PROPERTY.

School officers on retiring from office should deliver this book, with all other papers and documents of an official character, to their successors in office.

## PREFACE.

The contents of this pamphlet include:

Sections 7 and 14 of the Enabling Act;

Sections 1 and 6 of Article VII; Article IX;  
Section 5 of Article X: Sections 1, 2 and 7 of Article  
XI; Sections 8, 9 and 10 of Article XIV of the State  
Constitution;

The School Law of the State, as amended to  
date;

The law of public contracts;

The law providing for a study of the nature of  
alcoholic drinks and narcotics;

The law establishing Arbor Day;

The law relating to compulsory education;

The law organizing a State Normal School; Colo-  
rado School for the Deaf and Blind; providing for  
Kindergartens;

The law fixing compensation of county superin-  
tendents and deputies;

The law providing for the purchase and display  
of flags;

The law defining rate of taxation for school pur-  
poses;

The law fixing rate of interest on school orders  
and warrants;

The law establishing high schools in fourth and  
fifth-class counties;

The law providing for the organization of schools  
of Central City under general law;

Blank forms for the use of school officers and  
teachers;

This edition of the School Law is issued under  
Section 3973, Mills Annotated Statutes.

The references to Mills Annotated Statutes are  
to volume 2, unless otherwise designated.

HELEN L. GRENFELL,  
Superintendent of Public Instruction.

## SECTIONS VII AND XIV OF THE ENABLING ACT.

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Section 7. That sections numbered sixteen and thirty-six in every township, and where such sections have been sold or otherwise disposed of by any act of congress, other lands equivalent thereto in legal subdivisions of not more than one quarter-section, and as contiguous as may be, are hereby granted to said State for the support of common schools.

Section 14. That the two sections of land in each township herein granted for the support of common schools shall be disposed of only at public sale, and at a price not less than two dollars and fifty cents per acre, the proceeds to constitute a permanent school fund, the interest of which is to be expended in the support of common schools.

# SELECTIONS

FROM THE

## Constitution of the State of Colorado

Touching Public Schools and School Officers.

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### ARTICLE VII.

#### SUFFRAGE AND ELECTIONS.

Section 1. Every male person over the age of twenty-one years, possessing the following qualifications, shall be entitled to vote at all elections:

First—He shall be a citizen of the United States, or, not being a citizen of the United States, he shall have declared his intention, according to law, to become such citizen, not less than four months before he offers to vote.

Second—He shall have resided in the State six months immediately preceding the election at which he offers to vote, and in the county, city, town, ward or precinct, such time as may be prescribed by law; Provided, That no person shall be denied the right to vote at any school district election, nor to hold any school district office, on account of sex.

1. Women were enfranchised by. L. '93, p. 256, Sec. 1; 3 Mills Ann. St., Sec. 1571a.

\* \* \* \* \*

Sec. 6. No person except a qualified elector shall be elected or appointed to any civil or military office in the state.

## ARTICLE IX.

### EDUCATION.

Section 1. The general supervision of the public schools of the State shall be vested in a board of education, whose powers and duties shall be prescribed by law; the Superintendent of Public Instruction, the Secretary of State and Attorney General shall constitute the board, of which the Superintendent of Public Instruction shall be president.

1. Superintendent of Public Instruction an officer of executive department. Art. IV., Sec. 1.

2. Qualifications of Superintendent. Art. IV., Sec. 4.

3. Ex officio state librarian. Art. IV., Sec. 20.

Sec. 2. The general assembly shall, as soon as practicable, provide for the establishment and maintenance of a thorough and uniform system of free public schools throughout the State, wherein all residents of the State between the ages of six and twenty-one years may be educated gratuitously. One or more public schools shall be maintained in each school district within the State, at least three months in each year; any school district failing to have such school shall not be entitled to receive any portion of the school fund for that year.

Sec. 3. The public school fund of the State shall forever remain inviolate and intact; the interest thereon only shall be expended in the maintenance of the schools of the State, and shall be distributed amongst the several counties and school districts of the State, in such manner as may be prescribed by law. No part of this fund, principal or interest, shall ever be transferred to any other fund, or used or appropriated, except as herein provided. The State Treasurer shall be the custodian of this fund, and the same shall be securely and profitably invested, as may be by law directed. The State shall supply all losses thereof that may in any manner occur.

Sec. 4. Each county treasurer shall collect all school funds belonging to his county, and the several school districts therein, and disburse the same to the proper districts, upon warrants drawn by the county superintendent, or by the proper district authorities, as may be provided by law.

Sec. 5. The public school fund of the State shall consist of the proceeds of such lands as have heretofore been, or may hereafter be, granted to the State by the general government for educational purposes; all estates that may escheat to the State; also, all other grants, gifts or devises that may be made to this State for educational purposes.

Sec. 6. There shall be a county superintendent of schools in each county, whose term of office shall be two years, and whose duties, qualifications and compensation shall be prescribed by law. He shall be ex officio commissioner of lands within his county, and shall discharge the duties of said office under the direction of the State Board of Land Commissioners, as directed by law.

Sec. 7. Neither the general assembly, nor any county, city, town, township, school district or other public corporation, shall ever make any appropriation, or pay from any public fund or moneys whatever, anything in aid of any church or sectarian society, or for any sectarian purpose, or to help support or sustain any school, academy, seminary, college, university or other literary or scientific institution, controlled by any church or sectarian denomination whatsoever; nor shall any grant or donation of land, money, or other personal property, ever be made by the State, or any such public corporation, to any church, or for any sectarian purpose.

Sec. 8. No religious test or qualification shall ever be required of any person as a condition of admission into any public educational institution of the State, either as teacher or student; and no teacher or student of any such institution shall ever be required

to attend, or participate in, any religious service whatever. No sectarian tenets or doctrines shall ever be taught in the public schools, nor shall any distinction or classification of pupils be made on account of race or color.

Sec. 9. The Governor, Superintendent of Public Instruction, Secretary of State and Attorney General shall constitute the State Board of Land Commissioners, who shall have the direction, control and disposition of the public lands of the State, under such regulations as may be prescribed by law.

1. As to who constitutes board of land commissioners, see L. '87, p. 331, Sec. 1; Mills Ann. St., Sec. 3627.

Sec. 10. It shall be the duty of the State Board of Land Commissioners to provide for the location, protection, sale, or other disposition of all the lands heretofore, or which may hereafter, be granted to the State by the general government, under such regulations as may be prescribed by law; and in such manner as will secure the maximum possible amount therefor. No law shall ever be passed by the general assembly granting any privileges to persons who may have settled upon any such public lands subsequent to the survey thereof by the general government, by which the amount to be derived by the sale, or other disposition, of such lands, shall be diminished, directly or indirectly. The general assembly shall, at the earliest practicable period, provide by law that the several grants of land made by congress to the State shall be judiciously located and carefully preserved and held in trust, subject to disposal, for the use and benefit of the respective objects for which said grants of land were made, and the general assembly shall provide for the sale of said lands from time to time; and for the faithful application of the proceeds thereof, in accordance with the terms of said grant.

Sec. 11. The general assembly may require, by law, that every child of sufficient mental and physical ability, shall attend the public school, during the per-

iod between the ages of six and eighteen years, for a time equivalent to three years, unless educated by other means.

1. Kindergartens, p. 100.

Sec. 12. There shall be elected by the qualified electors of the State, at the first general election under this constitution, six regents of the university, who shall immediately after their election, be so classified by lot, that two shall hold their office for the term of two years, two for four years, and two for six years; and every two years after the first election, there shall be elected two regents of the university, whose term of office shall be six years. The regents thus elected, and their successors, shall constitute a body corporate, to be known by the name and style of "The Regents of the University of Colorado."

1. The regents are a body corporate. Mills Ann. St., Sec. 4587.

Sec. 13. The regents of the university shall, at their first meeting, or as soon thereafter as practicable, elect a president of the university, who shall hold his office until removed by the Board of Regents for cause; he shall be ex officio a member of the board, with the privilege of speaking, but not of voting, except in cases of a tie; he shall preside at the meetings of the board, and be the principal executive officer of the university, and a member of the faculty thereof.

Sec. 14. The Board of Regents shall have the general supervision of the university, and the exclusive control and direction of all funds of, and appropriations to the university.

Sec. 15. The general assembly shall, by law, provide for organization of school districts of convenient size, in each of which shall be established a board of education, to consist of three or more directors, to be elected by the qualified electors of the district. Said directors shall have control of instruction in the public schools of their respective districts.

Sec. 16. Neither the general assembly nor the State Board of Education shall have power to prescribe text books to be used in the public schools.

## ARTICLE X.

Section. 5. Lots, with the buildings thereon, if said buildings are used solely and exclusively for religious worship, for schools, or for strictly charitable purposes, also cemeteries not used or held for private or corporate profit, shall be exempt from taxation, unless otherwise provided by general law.

## ARTICLE XI.

### PUBLIC INDEBTEDNESS.

Section 1. Neither the State, nor any county, city, town, township or school district, shall lend or pledge the credit or faith thereof, directly or indirectly, in any manner to, or in aid of, any person, company or corporation, public or private, for any amount or for any purpose whatever, or become responsible for any debt, contract or liability of any person, company or corporation, public or private, in or out of the State.

Sec. 2. Neither the State nor any county, city, town, township or school district shall make any donation or grant to, or in aid of, or become a subscriber to, or shareholder in, any corporation or company, or a joint owner with any person, company or corporation, public or private, in or out of the State, except as to such ownership as may accrue to the State by escheat, or by forfeiture, by operation or provision of law; and except as to such ownership as may accrue to the State, or to any county, city, town, township or school district, or to either or any of them, jointly with any person, company or corporation, by forfeiture or sale of real estate for non-payment of taxes, or by donation or devise for public use, or by purchase by or on behalf of any or either

of them, jointly with any or either of them, under execution in cases of fines, penalties or forfeiture of recognizance, breach of condition of official bond, or of bond to secure public moneys, or the performance of any contract in which they or any of them may be jointly or severally interested.

\* \* \* \* \*

Sec. 7. No debt by loan in any form shall be contracted by any school district for the purpose of erecting and furnishing school buildings, or purchasing grounds, unless the proposition to create such debt shall first be submitted to such qualified electors of the district as shall have paid a school tax therein, in the year next preceding such election, and a majority of those voting thereon shall vote in favor of incurring such debt.

#### ARTICLE XIV.

Sec. 8. There shall be elected in each county, on the first Tuesday in October, in the year one thousand eight hundred and seventy-seven, and every alternate year forever thereafter, one county clerk, who shall be ex officio recorder of deeds and clerk of the board of county commissioners; one sheriff, one coroner, one treasurer, who shall be collector of taxes, one county superintendent of schools, one county surveyor, and one county assessor.

Sec. 9. In case of a vacancy occurring in the office of county commissioner, the governor shall fill the same by appointment; and in the case of a vacancy in any other county office, or in any precinct office, the board of county commissioners shall fill the same by appointment; and the person appointed shall hold the office until the next general election, or until the vacancy be filled by election according to law.

Sec. 10. No person shall be eligible to any county office unless he be a qualified elector; nor unless he shall have resided in the county one year preceding his election.

## SCHOOL LAWS.

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An Act to establish and maintain a system of free schools, approved March 20, 1877, as amended by subsequent general assemblies.

### STATE BOARD OF EDUCATION.

#### Who Constitute State Board.

Section 1. The Superintendent of Public Instruction, the Secretary of State and Attorney General, shall constitute a State Board of Education, of which the Superintendent of Public Instruction shall be president. [G. S. '83, p. 879, Sec. 2996; Mills Ann. St., Sec. 3965.

1. See Constitution, Art. IX., Sec. 1.

#### When Board Meets—By-Laws.

Sec. 2. The State Board of Education shall meet at the State capitol on the last Saturday in December in each year, and at such other times and places as may by them be deemed necessary, and shall have power to adopt any rules and regulations not inconsistent with law, for its own government, and for the government of the public schools. [G. S. '83, p. 879, Sec. 2997; Mills Ann. St., Sec. 3966.

#### Grant Diplomas—Effect.

Sec. 3. The State Board of Education is hereby authorized to grant state diplomas to such teachers as may be found to possess the requisite scholarship and culture, and who may also exhibit satisfactory evidence of an exceptional moral character and whose eminent professional ability has been established by not less than two years' successful teaching in the public schools of this State. Such diplomas shall su-

persede the necessity of any and all other examinations of persons holding the same, by county, city, town or local examiners, and shall be valid in any county, city, town or district in the State, for the grade of work indicated, unless revoked by the State Board of Education. [L. '99, p. 223, Sec. 1, amending G. L. '77, p. 808, Sec. 2449; amended L. '81, pp. 211, 212, Sec. 1; G. S. '83, p. 879, Sec. 2998; Mills Ann. St., Sec. 3967.

#### State Diplomas.

Sec. 4. State diplomas, which may be of different classes, not to exceed three in number, shall be granted upon public examination, of which due notice shall be given, in such branches and upon such terms and by such State Board of Examiners as the Superintendent of Public Instruction, the President of the State University, the President of the State Agricultural College, the President of the State School of Mines and the President of the State Normal School may appoint; provided, that the State Superintendent of Public Instruction shall be a member of said Board and the presiding officer thereof. The State Board of Education may also, upon the recommendation of the State Board of Examiners, grant state diplomas without examination, to persons who, in addition to good moral character and scholarly attainments, have rendered eminent services in the educational work of the State for a period of not less than six years. Such diplomas may be of different classes, not to exceed three in number, as may be prescribed by the State Board of Examiners. [L. '99, p. 224, Sec. 2, amending G. L. '77, p. 808, Sec. 2450; G. S. '83, pp. 879, 880, Sec. 2999, as amended by L. '87, p. 379, Sec. 1; Mills Ann. St., Sec. 3968.

#### Revoking Diplomas.

Sec. 5. The State Board of Education may at any time revoke a State diploma, upon satisfactory

evidence that the holder thereof has become unworthy of the same; Provided, That, before revoking any such diploma, the holder thereof shall have at least thirty days' notice to appear before the State board, and refute any charges brought against him. [G. L. '77, p. 808, Sec. 2451; G. S. '83, p. 880, Sec. 3000; Mills Ann. St., Sec. 3969.

#### SUPERINTENDENT OF PUBLIC INSTRUCTION.

##### Election of State Superintendent.

Sec. 6. At the general election, to be held in the year of our Lord one thousand eight hundred and seventy-eight, and every two years thereafter, a State Superintendent of Public Instruction shall be elected by the qualified electors of the state, who shall hold office for the term of two years from the second Tuesday of January next after his election, and until his successor is duly elected and qualified. [G. L. '77, p. 808, Sec. 2452; G. S. '83, p. 880, Sec. 3001; Mills Ann. St., Sec. 3970.

##### Oath and Bond of Superintendent.

Sec. 7. Before entering upon his duties he shall take and subscribe the oath of office prescribed by the constitution, and shall also execute a bond in the penalty of five thousand dollars, payable to the State of Colorado, with sureties to be approved by the State Auditor, conditioned upon the faithful discharge of his official duties, and the delivery to his successor of all books, papers, documents and other property belonging to the office. Said bond and oath shall be deposited with the Secretary of State. [G. L. '77, p. 808, Sec. 2453; G. S. '83, p. 880, Sec. 3002; Mills Ann. St., Sec. 3971.

##### Duties of Superintendent.

Sec. 8. He shall have an office at the seat of government, where shall be kept an official seal, and all books and papers appertaining to the business

of his office. He shall file all papers, reports and public documents transmitted to him by the school officers of the several counties, each year separately, and hold the same in readiness to be exhibited to the Governor, or to any committee of either house of the general assembly. Copies of all papers filed in his office, and his official acts, may be certified by him, and when so certified, shall be evidence equally and in like manner as the original papers. He shall decide all points touching the construction of the school laws, which may be submitted to him in writing by any school officer, teacher or other person in the State, and his decision shall be held to be correct and final until set aside by a court of competent jurisdiction, or by subsequent legislation; and said decisions, correspondence and instructions may be communicated through the columns of any regularly published periodical that is devoted to the interests of education. He shall prepare lists of questions for the use of county superintendents at the quarterly examination of teachers, and make such suggestions concerning their use as shall tend to secure uniform examinations in the different counties; and he may call to his aid, in the preparation of said questions, such assistance as he may deem proper. [G. L. '77, p. 808, Sec. 2454; G. S. '83, p. 880, Sec. 3003, as amended by L. '87, p. 380, Sec. 2; Mills Ann. St., Sec. 3972.

1. Make compilation of school laws, Sec. 9.
  2. Public flag law, p. 99, Sec. 6.
  3. In regard to books received for use of supreme court.
- 1 Mills Ann. St., Sec. 988.

#### **Furnish Blanks—Cost—Prepare Laws.**

Sec. 9. He shall have a general supervision of all the county superintendents, and of the public schools of the state. He shall prepare, have printed and furnish to teachers and all officers charged with the administration of the laws relating to public schools, such blank forms, registers and books as may be necessary to the discharge of their duties; but

he shall not copyright such forms, nor be directly nor indirectly compensated by reason of the sale thereof. All registers and blank books so furnished for the use of teachers and school officers shall be charged to the respective counties at cost, and the county superintendent of schools shall receipt for and distribute the same among the districts of his county as they may require; and the amount so charged against each county shall be deducted from the amount apportioned to such county at the semi-annual apportionment of the state school fund; and the Superintendent of Public Instruction shall certify to the State Treasurer the aggregate amount of such deductions, and the Treasurer shall thereupon transfer said amount from the school fund subject to apportionment to the general fund. The Superintendent of Public Instruction shall have the laws relating to public schools printed in pamphlet form, and annexed thereto forms for making reports and conducting school business, and shall supply school officers, school libraries and state libraries with a copy each. Said printing to be paid for out of the printing fund, on warrant of the Auditor, on bills approved by the Superintendent of Public Instruction, and attested by the Secretary of State. [G. L. '77, p. 809, Sec. 2455, as amended by L. '79, p. 161, Sec. 1; G. S. '83, p. 880, Sec. 3004; Mills Ann. St., Sec. 3973.

1. See Enabling Act, Sec. XIV.

#### Annual Report—Visits—Expenses.

Sec. 10. He shall, on or before the tenth day of December, in every year preceding that in which shall be held a regular session of the general assembly, report to the Governor the condition of the public schools, the amount of State school fund apportioned, and sources from which derived, with such suggestions and recommendations relating to the affairs of his office as he may think proper to communicate. It shall be his duty to visit annually such counties in the

State as most need his personal attendance, and all counties, if practicable, for the purpose of inspecting the schools, awakening and guiding public sentiment in relation to the practical interests of education, and diffusing as widely as possible, by public addresses and personal communication with school teachers and parents, a knowledge of existing defects and of desirable improvements in the government and instruction of the schools; and he shall open such correspondence as may enable him to obtain all necessary information relating to the system of public schools in other states; and he shall receive out of the state treasury, for actual necessary traveling expenses and other expenses while traveling on the business of the department, not exceeding five hundred dollars per annum, for which he shall render an itemized bill to the Auditor of State, who is hereby authorized to draw his warrant therefor; and an office, fuel, furniture, postage, books, stationery, and other contingent expenses pertaining to his office shall be furnished in the same manner as those of the other departments of the State government. [G. L. '77, p. 809, Sec. 2456; G. S. '83, p. 881, Sec. 3005; Mills Ann. St., Sec. 3974.

#### **Apportionment of School Fund.**

Sec. 11. It shall be the duty of the State Auditor to notify the Superintendent of Public Instruction of the amount of money in the State treasury to the credit of the public school income fund, on the thirtieth days of June and December in each year. Within fifteen days after receiving such notification, the Superintendent of Public Instruction shall apportion said fund among the several counties of the State, from which reports have been received by said superintendent, as provided in this act, in proportion to the school population as shown by the report of each county for the year next preceding such apportionment, making such deductions as are provided in section nine of said chapter. And the Superintendent of

Public Instruction shall certify said apportionment to the State Auditor, and upon such certificate the Auditor shall draw his warrant on the State Treasurer in favor of the county treasurer of each county, for the amount due said county. The Superintendent shall also certify to the superintendent of each county the amount apportioned to such county. [G. L. '77, p. 810, Sec. 2457; G. S. '83, p. 880, Sec. 3006, as amended by L. '87, p. 380, Sec. 3; Mills Ann. St., Sec. 3975.

1. Form of report, Sec. 10.

**Assistant Librarian—Salary.**

Sec. 12. He may employ an assistant librarian, who shall have charge of the State Library, under such regulations as may be prescribed by the State Librarian, or by law. Said assistant shall receive the annual salary of one thousand dollars (\$1,000) for his services. [G. L. '77, p. 810, Sec. 2458, as amended by L. '83, p. 263, Sec. 1; G. S. '83, p. 882, Sec. 3007; Mills Ann. St., Sec. 3976.

**COUNTY SUPERINTENDENT.**

**Election—Oath—Bond—Term of Office.**

Sec. 13. There shall be elected in each county, at the general election in the year one thousand eight hundred and seventy-seven, and biennially thereafter, a county superintendent of public schools, who shall take office on the second Tuesday of January next succeeding that on which such election shall be held. He shall hold his office for two years, and until his successor shall be elected and qualified. Before entering upon the duties of his office, he shall take the oath prescribed by the constitution, and execute a bond payable to the people of the State of Colorado, with two or more sureties, to be approved by the board of county commissioners, in penalty of not less than two thousand dollars, to be increased at the discretion of

said board, conditioned upon the faithful performance of the duties of his office and the delivery of all moneys and property as such superintendent to his successors, which bond shall be filed in the office of the county clerk. [G. L. '77, p. 810, Sec. 2459; G. S. '83, p. 882, Sec. 3008; Mills Ann. St., Sec. 3977.

1. Perform duties until successor qualifies. 1 Mills Ann. St., Sec. 920.

#### Failure to Qualify—Vacancy—Appointment.

Sec. 14. Should the superintendent-elect fail to qualify as aforesaid, or should there occur a vacancy in said office, the board of county commissioners shall at their next meeting after such vacancy or failure to qualify occurs, appoint an eligible and suitable person, who shall qualify within ten days after his appointment, and who shall continue in office until the next general election thereafter. Should such appointee fail to qualify, as aforesaid, another appointment shall be made in the same manner, until the vacancy shall be filled by appointment or election. [G. L. '77, p. 811, Sec. 2460; G. S. '83, p. 882, Sec. 3009; Mills Ann. St., Sec. 3978.

1. What constitutes a vacancy. 1 Mills Ann. St., Sec. 924.

#### Examination of Teachers—Deputy—Compensation.

Sec. 15. On the third Friday in August, December and March in each year he shall meet all persons of not less than eighteen years of age desirous of passing an examination as teachers, in some suitable room at the county-seat, notice of which shall be given in some newspaper in the county, or, in case there is no paper published in the county, he shall give such notice as may by him be deemed necessary; at which time he shall examine all such applicants in orthography, reading, writing, arithmetic, English grammar, geography, history and constitution of the United States, civil government, physiology, natural sciences, theory and practice of teaching, and the school law of the state. If the applicant is to

teach in a school of high grade, the examination shall extend to such additional branches of study as are to be pursued in such school. If satisfied of the competency to teach, and of the good moral character of the applicant, he shall give such applicant a certificate, as provided in the following section, but he shall not issue a certificate except one of like grade, unless the applicant be examined at the regular stated examinations; he may, however, in case of emergency, recognize county teacher's certificates issued in this or other states by indorsing thereon the words "good until the next regular county examination;" Provided, That the certificate so indorsed shall be in full force at the date of such indorsement, and shall not be renewed, extended, nor show a previous indorsement thereon. If the attendance upon the examination at the county-seat shall work a great hardship to one or more teachers in the county, the county superintendent may provide for such teacher or teachers to take the examination at some convenient place, and the county superintendent may appoint some suitable person to conduct such examination, who shall, without delay, report to the county superintendent the written answers of each applicant; such person shall be entitled to \$5 per day for conducting such examination, and such services shall be certified by the county superintendent to the county commissioners. [G. L. '77, p. 811, Sec. 2461; G. S. '83, p. 883, Sec. 3010, as amended by L. '87, p. 381, Sec. 4, as amended by L. '95, p. 234, Sec. 1; 3 Mills Ann. St., Sec. 3979.

#### **Grades of Certificates—Renewals—Record.**

Sec. 16. The certificates issued by the county superintendent shall be of three grades, distinguished as first, second and third. The first grade certificate shall be valid for three years, and may be renewed by the county superintendent of the county in which it was issued; the second grade certificate shall be valid for eighteen months; the third grade certificate

shall be valid for nine months; Provided, however, That not more than two certificates of the same grade (third grade) shall be issued to the same person. A county superintendent may, upon the application of a teacher holding a first grade certificate, received at a regular examination in another county in the state, and in full force at the time, issue to said teacher a certificate of like grade; Provided, That such certificate shall not show the standing in each branch, nor be subject to renewal, but shall show the conditions upon which it is issued. And he may revoke certificates of any grade at any time, for immorality, incompetency or other just cause. It shall be deemed a violation of law to grant certificates of any of the above grades, except one of like grade, without requiring the applicant to pass a thorough and satisfactory examination in such branches and at such times as are specified in section 15 of this act; and in all such examinations the questions prepared by the superintendent of public instruction shall be used. In case a certificate is revoked or refused by the county superintendent, the right of appeal to the state board of education shall not be denied the teacher or applicant, if said appeal be taken within thirty days from date of notice of such revocation or refusal. The county superintendent shall keep an official record in a suitable book of the persons so examined, containing the names, age, nativity, date of examination and grade of certificate issued; he shall also retain for three months the written answers of all applicants at the regular examinations and hold the same subject to the order of the state board of education; Provided, further, That in a school district of the first class the examination may be conducted by the school board of such district in such manner and at such times as the board may determine, who shall have power to issue district certificates of the same grades and under the same conditions as are specified in sections 15 and 16 of this chapter; said certificates, however, shall

be reported to the county superintendent, who shall keep a record of the same, and shall be valid only in the district where issued; such boards may, however, if they see fit, issue certificates without examinations to high school teachers who hold satisfactory evidence of adequate training for the work they are to do. [G. L. '77, p. 1812, Sec. 2462, as amended by L. '81, p. 212, Sec. 4, as amended by L. '83, p. 264, Sec. 2; G. S. '83, p. 883, Sec. 3011, as amended by L. '95, p. 236, Sec. 2; 3 Mills Ann. St., Sec. 3980.

1. Section 16 is this section.

2. Questions prepared by Superintendent of Public Instruction, Sec. 8.

#### Deputy—How Paid.

Sec. 17. If for any cause the superintendent is unable to attend to the duties of his office, he may appoint a deputy, who shall take the usual oath or affirmation of office, and who may exercise all the functions of county superintendent, but such deputy shall draw no salary from the public fund; Provided, That the superintendent may receive a per diem for the service of such deputy. [G. L. '77, p. 812, Sec. 2463; G. S. '83, p. 884, Sec. 3012; Mills Ann. St., Sec. 3981.

1. This section is undoubtedly repealed by L. '91, p. 812, Sec. 1, which was supplanted and thus necessarily repealed by L. '99, p. 395, Sec. 11. See p. 110, Sec. 17, hereof.

#### County Superintendent's Report.

Sec. 18. On the first Tuesday of September, in each year, the county superintendent shall make a report to the Superintendent of Public Instruction for the school year ending June 30 next preceding, which report shall contain an abstract of the reports made to him by district secretaries, and such other matters as the Superintendent of Public Instruction may direct, and shall be in such form and upon such blanks as the Superintendent of Public Instruction shall furnish. The county superintendent shall retain a copy of all such reports and file the same in his

office. [G. L. '77, p. 812, Sec. 2464; G. S. '83, p. 884, Sec. 3013, as amended by L. '87, p. 382, Sec. 5; Mills Ann. St., Sec. 3982.

#### Apportionment of County School Fund.

Sec. 19. The county superintendent shall apportion the general school fund of the county among the several school districts in accordance with the provisions of sections seventy-two and seventy-three of this chapter, quarterly, to-wit: On the first Monday in January, April, July and October, in each year, and he may apportion the same at other times if there be sufficient money in the treasury to require it. He shall certify each apportionment promptly to the county treasurer, and shall also notify the secretary of each district of the amount placed to the credit of his district. [G. L. '77, pp. 812-813, Sec. 2465; G. S. '83, p. 884, Sec. 3014, as amended by L. '87, p. 382, Sec. 6; Mills Ann. St., Sec. 3983.

#### Duties of County Superintendent.

Sec. 20. It shall be the duty of the county superintendent to exercise a careful supervision over the schools of his county, to visit each school at least once during each quarter it is in session, to see that all the provisions of this act are observed and followed by teachers and school officers; to examine the accounts of the district officers to see if such accounts are properly kept, and all district funds properly accounted for; to keep, in a good and substantial bound book, a record of his official acts, and of all other matters required by law to be recorded; to obey the legal instructions and decisions of the Superintendent of Public Instruction. He shall also keep a record of the registers, record books and order books furnished by the several districts of his county; and it shall be his duty to hold county teachers' associations whenever, in his judgment, the interests of the school work demand it; the records of the county superintendent's office shall be open to the inspection of any

citizen of the county, and within one week from the close of each school year he shall publish in some newspaper published in the county, if there be such a paper, a statement of the apportionment of school funds for the year preceding. [G. L. '77, p. 813, Sec. 2466; G. S. '83, p. 884, Sec. 3015, as amended by L. '87, p. 382, Sec. 7; Mills Ann. St., Sec. 3984.

**Penalty for Failure to Report.**

Sec. 21. If the county superintendent fails to make a full and correct report to the Superintendent of Public Instruction, as provided by law, and shall, after written request or notice from the Superintendent of Public Instruction, or from the board of county commissioners, delay more than ten (10) days after the service of such notice to make such report, he shall forfeit the sum of one hundred dollars, which sum the board of county commissioners may deduct from any money due him; said forfeit may, however, be recovered by suit, upon his official bond. [G. L. '77, p. 813, Sec. 2467; G. S. '83, p. 885, Sec. 3016; as amended by L. '87, p. 383, Sec. 8; Mills Ann. St., Sec. 3985.

**Administer Oaths.**

Sec. 22. The county superintendent shall have power, and is hereby authorized, to administer oaths and affirmations to school directors, teachers and all other persons in official matters relating to schools; but shall receive no fee for so doing. [G. L. '77, p. 813, Sec. 2468; G. S. '83, p. 885, Sec. 3017; Mills Ann. St., Sec. 3986.

**Appoint Directors.**

Sec. 23. The county superintendent shall appoint directors for any district which fails to elect, as provided in section 44, and shall fill vacancies that may occur in any board of directors by reason of death, removal from office or from the district, resignation or otherwise, except in boards of directors of

districts of the first class, and the officers so appointed shall hold office only until the ensuing regular election. [G. L. '77, p. 813, Sec. 2469; G. S. '83, p. 885, Sec. 3018; Mills Ann. St., Sec. 3987.

#### Boundaries of School Districts.

Sec. 24. It shall be the duty of the county superintendent to ascertain the boundaries of each school district in his county, and to make and keep a record of the same in a suitable bound book, which record shall show definitely the boundaries of each district. In case the boundaries are found to be conflicting or incorrectly described, he shall harmonize the same and make a report of such action to the board of school directors whose districts are affected thereby. District officers shall have access to such records for the purpose of examination, making copies, or for other legitimate purposes. The county superintendent shall prepare, or have prepared, a map of the county, showing the correct boundaries of the districts. [G. L. '77, p. 814, Sec. 2470; G. S. '83, p. 885, Sec. 3019; as amended by L. '87, p. 383, Sec. 9; Mills Ann. St., Sec. 3988.

#### Compensation of County Superintendents—Office Hours.

Sec. 25. The commissioners shall provide him with a suitable office at the county seat, and all necessary blank books, stationery, postage, expressage and other expenses of his office, not otherwise provided for, which last mentioned expenses shall be paid for from the county fund. He shall keep his office open for the transaction of official business such days each week as the duties of the office may require. [G. L. '77, p. 814, Sec. 2471; G. S. '83, p. 885, Sec. 3020, as amended by L. '87, p. 383, Sec. 10; Mills Ann. St., Sec. 3989.

1. The following was the first part of this section prior to the passage of L. '91, page 312, § 14, 3 Mills' Ann. St., § 1936u, which was amended by L. '99, page 394, § 10; same, page 109, § 14 hereof:

"For the time necessarily spent in the discharge of his duty he shall receive five (5) dollars per day, and fifteen (15) cents for

each mile necessarily traveled one way. He shall, as far as practicable, render an itemized bill of his services and mileage, each month or quarter, to the board of county commissioners, and shall make oath that the bill is just and correct; whereupon the county commissioners shall order a warrant on the county treasurer, payable from the general county fund; Provided, That the annual salary so received shall in no case exceed one hundred dollars for each regularly organized public school in the county."

#### Duties of County Treasurer.

Sec. 26. It is hereby made the duty of the county treasurer in each county, to keep a separate account with each school district in his county, to place to the credit of each the amount of money as certified to by the county superintendent, as provided in section nineteen, and to pay over the money so collected, upon the presentation of the legally-drawn warrants or order of the district officers entitled to draw the same; Provided, That if the county superintendent shall notify the county treasurer, in writing, that there has been a failure on the part of any board of directors to comply with the law, and that said money should be withheld from said board of directors, he shall retain the same until further notice from the county superintendent; on or before the 5th day of July in each year, he shall render, to the county superintendent of schools, a statement of the receipts and disbursements on account of the several districts, of all the school funds which have passed through his hands during the school year next preceding, and at the same time he shall render to each district secretary a statement of receipts and disbursements of such district. All money which shall become forfeited by any district shall be put into the general school fund, and be re-apportioned as other moneys. [G. L. '77, p. 814, Sec. 2472; G. S. '83, p. 886, Sec. 3021, as amended by L. '87, p. 384, Sec. 11; Mills Ann. St., Sec. 3990.

1. Report fines collected, p. 101, Sec. 2.

## ORGANIZATION OF DISTRICTS, ETC.

## New Districts—Petition—Unorganized Territory.

Sec. 27. For the purpose of organizing a new district out of a portion of one or more old districts, the parents of at least ten children of school age residing within the limits of the proposed new district, shall petition the county superintendent, in writing, which petition shall describe the boundaries of the proposed district, and the names of all children of school age residing in such proposed district at the date of said petition; and said list of names shall be held to be the census list of said district until the next regular census shall be taken, and if any names are found on said list, and also on other census lists for the current year, if the county superintendent is satisfied that the children so named are bona fide residents of the proposed district, he shall strike such names from the lists of the old districts, when the organization of the new district is complete. If, in the judgment of the county superintendent, the school interest of the districts affected by the proposed change, will be best promoted by said change, he shall direct some one of the petitioners who is a legal voter, to notify each elector residing within the district so to be formed, by personal service as far as convenient, and to post a notice in three public places in said new district, that such petition has been made, and that a meeting will be held, naming the time and place for such meeting, to determine the question of the proposed organization. People living upon unorganized territory may organize themselves into a school district at any time, without a petition, if a majority of the legal voters residing within the proposed district shall so decide at a meeting, of which reasonable notice has been given to all resident voters, and which meeting shall be conducted as is now provided by law for the organization of new districts; Provided, That, in addition to the copy of the proceedings now

required by law, the secretary shall also transmit to the county superintendent a certified list of all children of school age who are residents in good faith in said district at the date of the organization, which list shall be held to be the census list of said district until the next regular school census. [G. L. '77, p. 815, Sec. 2473, as amended by L. '81, p. 213, Sec. 5; G. S. '83, p. 886, Sec. 3022; Mills Ann. St., Sec. 3991.

**New Districts—How Organized—Election of Directors.**

Sec. 28. The qualified electors of such proposed new district, when assembled in accordance with the notice above required, shall organize by electing a chairman and secretary. Every legally qualified elector, and none other, shall be entitled to vote at such meeting. After the organization of such meeting, as above mentioned, a vote shall be taken by ballot, as the question whether or not the proposed district shall be organized. Those in favor of organization shall vote "Yes," and those opposed "No." If two-thirds of the legal voters so voting are found to be in favor of such organization, and not otherwise, the meeting shall proceed to elect by ballot a board of directors of said district, who shall hold office until the ensuing general election, as provided for in section forty-four of this act. The secretary of said meeting shall immediately transmit to the county superintendent a copy of the proceedings of the meeting, upon the receipt of which, if the proceedings are found to have been in accordance with law, he shall establish and number such district and enter a record of the same, and of the proceedings of the meetings, as provided in section twenty-four of this act; Provided, If such organization of a new district works great hardships to any head of a family, a statement of the facts may be submitted to the superintendent and two disinterested persons, one to be named by the superintendent and one by the person affected, and if in their judgment good cause be shown for the transfer, he may be transferred to another district; Provided, further,

That no district shall hereafter be divided for the purpose of forming a new district, unless it contains an area of more than nine square miles; nor shall a district be divided if by so doing the remainder of the district shall be found to contain less than fifteen persons of school age, and when practicable the district shall conform to government lines; Provided, also, That no city or town shall hereafter be divided into two or more districts, and districts of the first class shall not be divided except upon a vote of the electors of the district, submitted at an annual election, and a majority of all the votes cast being in favor of such division. [G. L. '77, p. 815, Sec. 2474; G. S. '83, p. 887, Sec. 3023, as amended by L. '89, p. 333, Sec. 1; Mills Ann. St., Sec. 3992.

**Uniting Two or More Districts—Territory Annexed or Detached.**

Sec. 29. Two or more contiguous districts may be united into one district. For the purpose of effecting such union, each district shall, at a special meeting legally called for the purpose, determine by ballot whether or not a majority of the legal voters assembled are in favor of such union. Those in favor will vote "Yes," and those opposed "No." If a majority of the voters present, in each district, vote in favor of a union, a union meeting shall be called by giving at least ten days' public notice, at which meeting the organization shall be perfected by the election of officers and other necessary proceedings, in the same manner as provided for the organization of districts in section twenty-eight of this chapter. Upon receiving notice from the county superintendent, of such union of districts, it shall be the duty of the county treasurer to transfer all funds belonging to said districts to the credit of the new district thus formed. A portion of unorganized territory may be annexed to a school district; or a portion of one district may be detached from said district and annexed to a contiguous district, by the county superintendent,

upon petition, in either case, of a majority of the legal voters resident within the territory to be so annexed, subject always to the limitation provided in section twenty-eight. [G. L. '77, p. 816, Sec. 2475; G. S. '83, p. 887, Sec. 3024, as amended by L. '87, p. 375, Sec. 13; Mills Ann. St., Sec. 3993.

**When a New District Shall Be Entitled to Public School Money—Proviso.**

Sec. 30. No new district, formed as provided in sections twenty-seven and twenty-eight of this chapter, shall be entitled to any portion of the public school money until a school has actually commenced therein, and unless within six (6) months from the establishment of such district a school be opened and maintained, as required by law, the action making such district shall be void, and all actions had by such district, acting as a body corporate, shall cease and determine, and all taxes which may have been levied in the old district or districts out of which the new one was formed, shall be valid and binding upon the real and personal property of the new district, the same as if the new district had never been organized; Provided, That the county superintendent may, for good cause, extend the said six (6) months to eight (8) months; said time of limitation shall begin to run from the time of the meeting at which it was voted to organize the district; whenever any district shall, for the period of one year, fail to maintain a school and keep up its organization of officers, and to make annual report as required by law, the county superintendent may declare such district annulled, and annex its territory to adjoining district or districts. [G. L. '77, p. 817, Sec. 2476; G. S. '83, p. 888, Sec. 3025, as amended by L. '87, p. 386, Sec. 14; Mills Ann. St., Sec. 3994.

**Organization of Joint Districts.**

Sec. 31. A joint school district may be formed from territory belonging to two or more contiguous

counties. For the purpose of organizing a joint district, the same preliminary steps shall be taken, and the same course pursued as is provided for the organization of other districts, in sections twenty-seven and twenty-eight. Such district shall be designated as "Joint District No. . . . .", of the counties of . . . . . and . . . . ., and shall be so numbered that it shall have the same number in all the counties from which it is formed." The petition required by section twenty-seven shall be made to each county superintendent interested, who shall unite in forming such districts; Provided, That the school census, the record of attendance at school, the assessing of property, the collection of taxes, and all other acts which from their nature should be separately kept or done, shall be kept and done, and the reports thereof made, as if each portion of said joint district belonging to each county were an entire district in the respective counties. The teachers of such joint district shall have a certificate from the superintendent of the county in which the school house is located. No joint district shall be annulled except by the consent of the county superintendents of the counties in which such district is located; Provided, That when any joint district desires to be annulled for the purpose of forming separate districts, it shall require a majority vote of the voters constituting said joint district, at a meeting called for such purpose. [G. L. '77, p. 817, Sec. 2477; G. S. '83, p. 888, Sec. 3026, as amended by L. '87, p. 387, Sec. 15; Mills Ann. St., Sec. 3995.

**When New District Entitled to Share of Funds—Apportionment.**

Sec. 32. When a new district is formed from one or more old ones, the school funds remaining to the credit of the district, after providing for all outstanding debts, excepting debts incurred for building and furnishing school houses, shall be divided as follows: The basis of division for the school fund shall be the

school population, as shown by the last school census before the division of the district or districts occurred, and shall apply such funds as remain to the credit of said old district or districts at the time of the organization of the new district, and each district shall receive funds in proportion to its per cent. of the said census. In case of division, each district shall own and hold all permanent property, such as sites, school houses and furniture situated within its boundaries. All division of funds under this provision shall be made by the county superintendent, and when there are unpaid special taxes on the county tax book, belonging to a district at the date of its division, the county treasurer, upon being notified of such division by the county superintendent, shall retain all money received in payment of said special tax until the same shall be apportioned by the county superintendent, whose duty it shall be to apportion said money monthly, between the fractions of the divided district, according to the location of the property on which said tax was levied. At the first apportionment after the organization of a new district, the county superintendent shall apportion to such district its per capita proportion of the general fund, but no money, either from the general or special fund, shall be paid out of the county treasury on account of such district until a school [house] shall have been begun therein in good faith. [G. L. '77, p. 818, Sec. 2478, as amended by L. '83, p. 267, Sec. 6; G. S. '83, p. 888, Sec. 3027, as amended by L. '87, p. 387, Sec. 16, as amended by L. '89, p. 299, Sec. 1; Mills Ann. St., Sec. 3996.]

**Union High School—How Established.**

Sec. 33. Whenever the school boards of two (2) or more contiguous school districts shall each deem it advisable to establish a union high school, the county superintendent shall, at the request of two (2) of the secretaries of the boards, call a meeting of the boards interested by giving personal notice to each

member, which meeting shall elect by ballot from among the members of said boards, if a majority of the members of each board are present, a committee of three (3), to be known as the High School Committee of such union school. The county superintendent shall be, ex officio, an additional member of said committee, and shall preside at the meetings thereof. There shall be elected a secretary of such committee, and if need be a treasurer. In any case in which the county seat of any county shall be all included in one school district, the board of such school district shall have the same powers of establishing and organizing a high school as are hereby given to the boards of two or more contiguous school districts, and in such case the high school committee shall be the board of such school district, or such three members as they may select. High schools formed under the provisions of this section shall be open to children from all districts of the county in which they are so formed; Provided, Such children are qualified, as hereinafter provided. [G. L. '77, p. 818, Sec. 2479; G. S. '83, p. 389, Sec. 3028, as amended by L. '89, p. 337, Sec. 1; Mills Ann. St., Sec. 3997.

1. High schools of counties of fourth and fifth classes, p. 103, Sec. 1, etc.

#### High School Committee—Term—Vacancies.

Sec. 34. The members of said high school committee shall hold the office for and during the term they are members of their respective boards. All vacancies in said committee, other than such as are caused by the expiration of the term of office, shall be filled by the school board of which the person so vacating was a member. The secretary shall be elected annually, and may receive such compensation as the committee shall deem proper to allow. [G. L. '77, p. 818, Sec. 2480; G. S. '83, p. 889, Sec. 3029; Mills Ann. St., Sec. 3998.

1. Committee on high schools in counties of fourth and fifth classes. p. 104, Sec. 2.

**High School Committee—Meetings.**

Sec. 35. The regular meetings of the high school committee shall be held on the first Saturday of March, June, September and December of each year, and special meetings may be held at any time upon the call of the county superintendent, or of two (2) members of the committee. [G. L. '77, p. 819, Sec. 2481; G. S. '83, p. 889, Sec. 3030; Mills Ann. St., Sec. 3999.

**Powers of Committee.**

Sec. 36. Said committee shall exercise all the powers and perform all the duties, with reference to said high school, that are accorded to and required of school boards throughout the State, as provided in section fifty [50] of this act, and shall have power to establish and prescribe the qualifications and manner of examination for admittance to the high school. [G. L. '77, p. 819, Sec. 2482; G. S. '83, p. 889, Sec. 3031; Mills Ann. St., Sec. 4000.

1. Section 50 referred to is Sec. 51.

**How Maintained—Proportion of School Fund—Deficit.**

Sec. 37. After the first establishment of such a high school, it shall be maintained until the then next regular apportionment of the county school fund, as follows: Each district, which shall have any children attending such high school, shall draw from its school fund, and cause to be placed to the credit of [the] high school fund, such part of the whole expenses as shall be proportioned to the number of pupils attendant at such high school from such district; Provided, It is with the approval of the directors of said district. After the first year, or part of a year, so as above provided for, the said high school shall, so far as practicable, be rated as a separate district. It shall be entitled to draw from the general, State and county funds its quota for attendance, as provided by section seventy-two of this act, and the deficit shall be made up from the several district funds in proportion

to [the] number of pupils from each district who attended said high school during the then past year. [G. L. '77, p. 819, Sec. 2483; G. S. '83, p. 890, Sec. 3032, as amended by L. '89, p. 338, Sec. 2; Mills Ann. St., Sec. 4001.

**Forty Weeks Annually—Who May Be Admitted.**

Sec. 38. The high school may be maintained during forty (40) weeks in each year, and shall be free to all children in the county who are qualified for admission, according to the requirements prescribed by the committee, and all children in the county who are so qualified, and who can pass the examination prescribed by the committee shall be entitled as of right to attend said high school. [G. L. '77, p. 819, Sec. 2484; G. S. '83, p. 890, Sec. 3033, as amended by L. '89, p. 338, Sec. 3; Mills Ann. St., Sec. 4002.

**Every District Contributing Has Voice in Election.**

Sec. 39. Every district in the county which contributes to the support and patronage of said high school shall, by its board of directors, be entitled to a voice in the election of members of the committee. [G. L. '77, p. 819, Sec. 2485; G. S. '83, p. 890, Sec. 3034; Mills Ann. St., Sec. 4003.

**SCHOOL DISTRICTS, OFFICERS AND ELECTIONS.**

**School Districts to Be Bodies Corporate.**

Sec. 40. Each regularly organized school district heretofore formed, or that may be formed, as provided in this chapter, is hereby declared to be a body corporate, by the name and style of "School district No. . . . , in the county of . . . . ., and State of Colorado," and in that name may hold property and be a party to suits and contracts, the same as municipal corporations in this State. [G. L. '77, p. 820, Sec. 2486; G. S. '83, p. 890, Sec. 3035, as amended by L. '87, p. 388, Sec. 17; Mills Ann. St., Sec. 4004.

**Directors—Classification of Districts.**

Sec. 41. There shall be elected in each school district of the State, annually, and in the manner prescribed in section forty-four of said chapter, a board of directors. The number of persons that shall constitute each board of directors shall be determined as follows: The school districts shall be classified into first (1st), second (2d) and third (3d) classes; districts containing a school population of more than one thousand (1,000) shall be denominated districts of the first (1st) class; districts containing a school population of three hundred and fifty (350), and not exceeding one thousand (1,000), shall be denominated districts of the second (2d) class, and districts containing a school population of less than three hundred and fifty (350) shall be denominated districts of the third (3d) class. At the regular election in 1887, as provided in section forty-four of said chapter, all districts in the first (1st) class shall elect, by ballot, one (1) director for three (3) years; and at the regular election in 1888, one (1) director for three (3) years and one (1) director for four (4) years; and at the regular election in 1889, one (1) director for four (4) years and one (1) director for five (5) years; and annually thereafter there shall be elected one (1) director for five (5) years. All districts of the second and third classes shall elect one (1) president for three (3) years, one (1) secretary for two (2) years, and one (1) treasurer for one (1) year, and annually thereafter there shall be elected for three (3) years a person to fill the vacancy occurring; Provided, That this shall not apply to districts of the second and third classes already organized. School boards of the first class shall, at their first meeting after their election, elect a president, who shall be a member of the board; a secretary, who may or may not be a member of the board; and a treasurer, who shall not be a member of the board, and who shall hold office for one year and until their successors are

elected and qualified. In districts of the first and second classes the boards, after organization, shall exercise all the power given the electors of districts of the third class, as specified in section sixty-three of this chapter. [G. L. '77, p. 820, sec. 2487, as amended by L. '83, p. 267, Sec. 7; G. S. '83, p. 890, Sec. 3036, as amended by L. '87, p. 388, Sec. 18; Mills Ann. St., Sec. 4005.

**Legal School District — When Second Class Districts Become First Class.**

Sec. 42. Every school district in the state which now exercises the prerogatives of a school district, and the legality of whose organization has not been legally denied, and which has a board of directors, duly qualified according to law, and has exercised the rights and enjoyed the privileges of a legally and regularly established district for one year, shall be, and is hereby declared to be, a legal school district, and all district officers shall hold office until their successors are qualified. When school districts of the second (2d) class shall attain a school population of one thousand (1,000) or more, as shown by the annual census, at the next regular election thereafter, as provided in section forty-four of this act, there shall be elected one (1) director for three (3) years, and one (1) director for four (4) years, and one (1) director for five (5) years, and annually thereafter one (1) director for five (5) years, as provided for in districts of the first (1st) class; and the persons so elected, together with the directors whose official terms have not expired, shall constitute the new board, which board shall enter upon the duties prescribed by law for boards of directors of districts of the first (1st) class. [G. L. '77, p. 821, Sec. 2488, as amended by L. '79, p. 165, Sec. 7; G. S. '83, p. 891, Sec. 3037, as amended by L. '87, p. 389, Sec. 19; Mills Ann. St., Sec. 4006.

**Legal Districts—What Constitutes.**

Sec. 43. All school districts now formed, or which may hereafter be formed, which shall continue to exercise, undisputed, the prerogatives and enjoy the privileges of a legally formed district, for the period of one year next succeeding the election of its officers, shall be deemed to be a legally formed district, and its legality shall not thereafter be questioned. [G. L. '77, p. 821, Sec. 2489; G. S. '83, p. 891, Sec. 3038; Mills Ann. St., Sec. 4007.

**Annual Elections—Notices Posted—Publication—Ballot.**

Sec. 44. The regular election for electing members of school boards shall be held annually in each district on the first Monday in May, at which time it shall be lawful to transact any business pertaining to schools and school interests. The secretary of each school board shall cause written or printed notices to be posted, specifying the day and the place or places of such election, and the time during which the ballot box or boxes shall be kept open, not less, however, than three hours, and further specifying at what hour and place any other business shall be transacted. Said notices shall be posted in at least three public places in the district, one of which shall be the school house, if there be one, at least six days previous to the time of election; and in districts of the first class, said notice shall be published weekly for the four weeks next preceding such election, in some newspaper published in the district, and if there be no paper published in such district, then in a paper published in an adjoining district. If the secretary fail to give such notice, then any two (2) legal voters residing in the district may give such notice over their own names, and such election may be held after the day fixed by this act for such election. All elections shall be by ballot, and in the absence of a notice specifying the hour, the ballot box shall be opened at nine (9) o'clock, a. m., and closed at four (4) p. m.

In districts of the first class, the school boards may order more than one voting place in the district, fix the voting places and the limits of the voting precincts, and appoint three (3) judges and necessary clerks for each voting place, in addition to those provided for in section forty-five. [G. L. '77, p. 821, Sec. 2490; G. S. '83, p. 892, Sec. 3039, as amended by L. '87, p. 376, Sec. 1; Mills Ann. St., Sec. 4008, as amended by L. '91, p. 317, Sec. 1; 3 Mills Ann. St., Sec. 4008.

**Qualifications of Electors — Sex — Oath — Penalty for Illegal Voting—Proposition to Create Debt.**

Sec. 45. Every elector legally qualified to vote at a general election, having been a resident of the school district for thirty (30) days next preceding the day of election, shall be entitled to vote; Provided, That no person shall be denied the right to vote at any school district election, or to hold any school district office on account of sex; Provided, further, That in districts of the first (1st) and second (2nd) class, any person who may desire to be a candidate for the office of school director, shall file a written notice of such intention with the secretary of the school district in which he resides at least eight (8) days prior to the day of the holding of the annual election for school directors, and the secretary of said school district shall for five (5) consecutive days preceding the day of said election, publish in some daily paper, or when no daily paper is published in such district, then by posting printed or written notices in not less than five (5) public places in such district, the names of all candidates who shall have so filed notice of such intention; and the said secretary shall also have printed or written ballots prepared, bearing the names of all candidates who have certified such intention of being candidates, as aforesaid, printed or written thereon, and no person other than those whose names appear upon the ballot so prepared, shall be voted for. Any person offering to

vote may be challenged by any legally qualified elector of the district, and any one of the judges of election shall thereupon administer the person challenged an oath, as follows: "You do swear (or affirm) that you are a citizen of the United States, or that you have declared your intention to become such; that you have resided in the state of Colorado six (6) months immediately preceding this election; that you are twenty-one (21) years of age; that you have resided in this district thirty (30) days next preceding this election; and that you have not voted at this election. So help you God (or under the pains and penalties of perjury.)" If he shall refuse to take such oath or affirmation, his vote shall be rejected. Any person guilty of voting illegally, shall be punished as provided in the general election laws of this state. The president, secretary and treasurer of the district school board shall act as judges of the election, except as otherwise provided in section forty-four and should any of the judges be absent at the opening of the polls, the electors present shall appoint a legal voter to fill the vacancy; Provided, however, That at all elections held for voting upon a proposition to create or contract a debt by loan for the purpose of erecting or furnishing a school buildings, or purchasing school grounds, only such qualified electors of the district shall vote thereat as shall have paid a school tax in such district for the year next preceding such election. [G. L. '77, p. 822, Sec. 2491; G. S. '83, p. 892, Sec. 3040, as amended by L. '87, p. 390, Sec. 20; Mills Ann. St., Sec. 4009, as amended by L. '93, p. 437, Sec. 1; 3 Mills Ann. St., Sec. 4009.

1. Women enfranchised. L. '93, p. 256, Sec. 1; 3 Mills Ann. St., Sec. 1571a.

#### Counting Votes—Tie—Special Election.

Sec. 46. Immediately after the closing of the polls, the judges shall meet at one of the voting places as shall have been previously designated by

the school board, and shall proceed to count the votes, and the person or persons qualified to be elected who shall receive the largest number of votes, shall be declared elected, and a report of the said election, signed by the judges, shall be transmitted to the school board. If, for any cause, no election be held at the regular time, or if, upon counting the votes, there be a tie vote for any one or more of the officers, a special election shall be called by the board within ten (10) days, and notice thereof given, as required in Section forty-four of this act. A failure to give the prescribed notice of such special election shall render the election void. [G. L. '77, p. 822, Sec. 2492: G. S. '83, p. 892, Sec. 3041; Mills Ann. St., Sec. 4010, as amended by L. '91, p. 319, Sec. 3; 3 Mills Ann. St., Sec. 4010.

**Applies to All School Elections.**

Sec. 46. a. The general provisions of Sections 44, 45, 46 shall be applicable to all school elections, whether general or special, or for whatever purpose held. [L. 91, p. 319, Sec. 4; 3 Mills Ann. St., Sec. 4010 a.

**Directors Qualify Within Twenty Days — Vacancies — Treasurer's Bond and Report—Oath of Office.**

Sec. 47. The directors shall each, within twenty (20) days after his or her election, appear before some officer authorized to administer oaths, and take oath that he or she will faithfully perform the duties of his or her office required by law, which oath shall be filed with the county superintendent; and, in case of failure so to qualify, his or her office shall be deemed vacant, and the county superintendent shall appoint a suitable person, who shall qualify immediately. If the amount of money liable to come into the hands of the treasurer, in the discharge of his official duties, exceed twenty dollars at any one time, he shall be required to give bond in double the amount of money

liable to come into his hands, said bond to be approved by, and filed with, the county superintendent. The directors-elect shall take office immediately after qualifying, as aforesaid; Provided, That any district treasurer, who shall refuse to give bond as above, when required to do so by the other members of the board, shall be disqualified from receiving any money on district account until a satisfactory bond is executed. The oath of office required in this section may be administered by a president of a school board; and it is hereby made the duty of the district treasurer of all first-class districts to publish, semi-annually, in some newspaper published within the county wherein such district may be located, a complete and full report of all receipts and expenditures of the said district's funds. [G. L. '77, p. 822, Sec. 2493; G. S. '83, p. 893, Sec. 3042, as amended by L. '87, p. 391, Sec. 21; Mills Ann St., Sec. 4011.

#### **Powers of Directors.**

Sec. 48. Any school board shall have power to make such by-laws for their own government and for the government of the public schools under their charge, as they may deem expedient, not inconsistent with the provisions of this act, or the instructions of the Superintendent of Public Instruction. District boards of the first class shall also have power to fill any vacancy which may occur in the board, until the regular election, at which time the vacancy shall be filled for the unexpired term. [G. L. '77, p. 823, Sec. 2494; G. S. '83, p. 893, Sec. 3043; Mills Ann. St., Sec. 4012.

1. County Superintendents fill vacancy, except in first class. Sec. 23.

#### **Districts May Hold Real Estate—Proviso.**

Sec. 49. It shall be lawful for any school district in this State to take and hold, under the provisions of chapter thirty-one of the General Laws, so much real estate as may be necessary for the loca-

tion and construction of a school house and convenient use of the school; Provided, That the real estate so taken, otherwise than by the consent of the owner thereof, shall not exceed one acre. [L '83, p. 263, Sec. 1; G. S. '83, p. 893, Sec. 3044; Mills Ann. St., Sec. 4013.

1. Chapter thirty-one referred to is the chapter on "Eminent Domain." See 1 Mills Ann. St., p. 1097.

#### Regular Meetings of Board.

Sec. 50. The regular meeting of each board shall be held on the last Saturday of March, June, September and December. The board may, however, hold such other regular, special or adjourned meetings as they may from time to time determine, or as may be specified in their by-laws. [G. L. '77, p. 823, Sec. 2495; G. S. '83, p. 893, Sec. 3045; Mills Ann. St., Sec. 4014.

#### Powers of School Boards.

Sec. 51. Every school board, unless otherwise especially provided by law, shall have power, and it shall be their duty:

First—To employ or discharge teachers, mechanics and laborers, and to fix and order paid their wages; to determine the rate of tuition for non-resident pupils, and to fix the compensation to be allowed the secretary for the time necessarily spent in the service of the district, as required by law, or as directed by the board; Provided, It shall be unlawful to pay any other member of the board, from the district funds, for his services as a member of such board.

Second—To enforce the rules and general regulations of the State Superintendent, to fix the course of study, the exercises and the kind of text books to be used; Provided, That but one kind of text book of the same grade or branch of study shall be used in the same department of a school, and that after the adoption of any book, it shall not be changed in less

than four years, unless the price thereof shall be unwarrantably advanced, or the mechanical quality lowered, or the supply stopped.

Third—To provide for school furniture, and for everything needed in the school house, or for the use of the school board.

Fourth—To rent, repair and insure school houses.

Fifth—To build or remove school houses, and to purchase or sell school lots, when directed by a vote of the district so to do.

Sixth—To hold in trust for their district all real or personal property for the benefit of the school thereof.

Seventh—To suspend or expel pupils from school, who refuse to obey the rules thereof, and to exclude from school, children under six years of age.

Eighth—To determine the number of teachers that shall be employed, and length of time over and above three (3) months that the school shall be kept; to fix the time for the opening or closing of schools, and for the dismissal of primary pupils before the regular time for closing the schools.

Ninth—To provide books for indigent children, on the written statement of the teachers that the parents of such children are not able to purchase them, and to furnish free text books for the use of all pupils, when authorized to do so by a majority vote of the district, as expressed at any regular or special meeting.

Tenth—To require all pupils to be furnished with the proper and suitable books as a condition of membership in school.

Eleventh—To exclude from school and school libraries all books, tracts, papers and other publications of an immoral or pernicious tendency.

Twelfth—To require teachers to conform to the law.

Thirteenth—To make an annual report, as required by law, to the county superintendent, on or before the first day of August of each year, in the manner and form and on the blanks prescribed and furnished by the Superintendent of Public Instruction.

Fourteenth—To make a report directly to the State Superintendent, whenever instructed by him so to do.

Fifteenth—Whenever a pupil resident in one district desires to attend school in another district, such pupil shall be permitted to do so; Provided, That the board may refuse to admit pupils from other districts upon the ground of insufficient room. [G. L. '77, p. 823, Sec. 2496; G. S. '83, p. 893, Sec. 3046, as amended by L. '87, p. 391, Sec. 22; Mills Ann. St., Sec. 4015.

**District High School—Building—Leasing—Directing.**

Sec. 52. The school boards of districts of the first and second classes shall have the power to establish a separate high school whenever they shall deem it expedient or necessary, and shall have power to determine the qualifications for admission to such school, and shall exercise all the powers with reference to such high school which are accorded to them in relation to the schools of lower grade; Provided, That no school board shall build or lease any building especially for such high school, unless authorized to do so by a vote of the district, as provided in section sixty-two (62) of this act. [G. L. '77, p. 825, Sec. 2497; G. S. '83, p. 895, Sec. 3047; Mills Ann. St., Sec. 4016.

1. Section 62 referred to is section 63 hereof.
2. Union high schools. Sec. 33.
3. High schools in counties of fourth and fifth classes, p. 103, Sec. 1. etc.

**President Signs Orders — Appear in Suits — Absence — Vacancies.**

Sec. 53. The president, when present, shall preside at all meetings of the board and of the district; shall sign all orders on the county treasurer for the payment of money; Provided, That no orders shall be drawn upon the county treasurer except in favor of parties to whom the district has become lawfully indebted. He shall appear in behalf of his district in all suits brought by or against the same, but when he is individually interested, this duty shall be performed by the secretary, and in the absence of the president, the secretary shall preside at board and district meetings. Absence from the district of any school officer, when prolonged beyond thirty consecutive days, may be held to work a vacancy in said office, which may be filled according to law. [G. L. '77, p. 825, Sec. 2498, as amended by L. '81, p. 214, Sec. 5; G. S. '83, p. 895, Sec. 3048; Mills Ann. St., Sec. 4017.

**County Superintendent Compare Census List—Ascertain Number of Blind and Deaf Mutes.**

Sec. 54. The census list of the several districts shall be carefully examined and compared by the county superintendent, and if the name of the same person be found upon more than one list he shall strike said name from all lists except that of the district in which such person was residing in good faith on the 10th day of April aforesaid. The residence of an unmarried person of school age shall, in all cases, be held to be identical with the bona fide residence of the parent or guardian of such person; Provided, That such parent or guardian be a resident of the State. If the county superintendent find upon any census list the names of any persons who he believes were not residents in good faith of such district, as aforesaid, he shall notify the secretary certifying the list, and if said secretary shall not establish the correctness of the list within fifteen (15)

days after such notification, such names shall be stricken from the list. At the time of taking the annual census, the secretary shall use reasonable diligence to ascertain the number of blind and deaf mute persons resident in the district, between the ages of four (4) and twenty-two (22) years, with the name and postoffice address of each. Said items shall be embodied in his annual report to the county superintendent. [G. L. '77, p. 826, repealed. L. '79, p. 167, Sec. 9; L. '83, p. 270, Sec. 9; G. S. '83, p. 896, Sec. 3050, as amended by L. '87, p. 394, Sec. 24; Mills Ann. St., Sec. 4018.

1. For deaf and blind school, see p. 96, Secs. 1 and 3.
2. Census defined. Sec. 80.

#### Duties of Secretary—Bond.

Sec. 55. Before entering upon the duties of his office, the secretary shall execute a bond, with two sureties, in the penal sum of five hundred (500) dollars in districts of the first and second classes, and the penal sum of one hundred (100) dollars in districts of the third class, conditioned upon the faithful discharge of his official duties and the delivery of all district property pertaining to his office over to his successor, within ten days after a demand is made for the same by a qualified successor, said bond to be approved by and filed with the county superintendent. The secretary shall record all proceedings of the board and of district meetings in a book or books, kept for that purpose; shall preserve copies of all reports made to the state or county superintendents; shall file all papers transmitted to him by other school officers pertaining to the business of the district; shall draw and countersign all warrants or orders issued by the board; shall keep a register or stub of all orders drawn, showing the number of the order, date, amount, in whose favor and for what purpose drawn. Immediately after the election of one or more directors, according to law, he shall transmit to the county superintendent a statement giving the

name and postoffice address of the president, secretary and treasurer, respectively, of the boards of directors. Between the 10th day of April and the 1st day of May, in each year, the secretary, or some person authorized by him, shall take a census of all persons over six years and under twenty-one years of age, who were bona fide residents of the district on the 10th day of April aforesaid. The names so listed shall be arranged alphabetically, and be so classified as to distinguish between male and female. The census list shall be sworn to as correct by the person taking the same, and, if such person be other than the secretary, shall be certified by the secretary, and shall be forwarded to the county superintendent on or before the first day of June of the current school year. In districts of first and second classes a copy shall be delivered to the principal teacher or superintendent of the districts, and in all cases a copy shall be retained in the office of the secretary. [G. L. '77, p. 825, Sec. 2499, as amended by L. '79, p. 165, Sec. 8; G. S. '83, p. 895, Sec. 3049, as amended by L. '89, p. 300, Sec. 2; Mills Ann. St., Sec. 4019.]

**Further Duties of Secretary—Report.**

Sec. 56. The secretary shall keep an accurate account of the expenses incurred by the district, and shall present the same to the board whenever called upon. He shall give the required notice of all regular and special meetings, as herein authorized. On or before the first day of August of each year he shall make out and file in the office of the county superintendent, a report of the affairs in his district. Said report shall be made upon blanks prepared by the Superintendent of Public Instruction containing such items of information as the said Superintendent shall require, including the following, viz:

First—The number of persons, male and female, each, in his district, between the ages of six (6) and twenty-one (21) years.

Second—The number of schools and the branches taught in each.

Third—The number of pupils in each school.

Fourth—The number of teachers employed in each school, and the compensation of each per month.

Fifth—The number of days the school was taught during the year then past and by whom.

Sixth—The number of pupils enrolled during the year; the average daily attendance.

Seventh—The average cost of school per month for each pupil, based upon the total enrollment, and also the average cost, based upon the average daily attendance. In estimating these averages the secretary shall take account of the teachers' wages; all current expenses, and six per cent. interest upon a fair valuation of all property belonging to the district.

Eighth—Text books used in each school.

Ninth—The number of volumes in the library of each school.

Tenth—The aggregate amount paid teachers during the year, and the average monthly pay of teachers.

Eleventh—The number of public school houses, and the estimated value of each.

Twelfth—The amount raised by tax in the district during the year for school library.

Thirteenth—The amount raised by subscription or by other means than by tax.

Fourteenth—The amount of special tax levied for the support of schools and for buildings, sites and furniture.

Fifteenth—The amount of money on hand at the beginning of the year then past.

Sixteenth—The amount of money received from all other sources than those herein specified.

Should the secretary fail to file his report, as above directed, he shall forfeit the sum of one hun-

dred (100) dollars, and shall make good all loss resulting to the district from such failure. [G. L. '77, p. 826, Sec. 2501, as amended by L. '81, p. 215, Sec. 7; G. S. '83, p. 896, Sec. 3050, as amended by L. '87, p. 395, Sec. 25; Mills Ann. St., Sec. 4020.

1. Failure to report. Sec. 74.

**Secretary Render Statement—Books Open for Inspection.**

Sec. 57. The secretary shall render a statement of the condition of the finances, as shown by the books, at any time when required by the school board, and his books shall always be open for inspection. [G. L. '77, p. 827, Sec. 2502; G. S. '83, p. 898, Sec. 3052; Mills Ann. St., Sec. 4021.

**Treasurer Countersign Warrants—Render Accounts—Failure—Penalty.**

Sec. 58. It shall be the duty of the treasurer to countersign all warrants drawn by the president and secretary on the county treasurer, in favor of parties to whom the district has become lawfully indebted, and to keep an account of the same. He shall take charge of all moneys received by him on account of the district from the county treasurer, as provided in sections 91 and 92 of this act, and pay out the same as therein provided. He shall render a statement of the finances of the district, as shown by the records of his office at the close of each school year, and at any other time when required by the board. For a failure to perform any of the duties of his office when directed by the board, or for refusing or neglecting to deliver to his legally qualified successor all money, books, or other district property in his possession or care, within ten days after the same shall have been demanded by such successor, he shall be liable on his bond, and shall make good a loss resulting to the district from such failure or neglect. [G. L. '77, p. 827, Sec. 2503, as amended by L. '81, p. 216, Sec. 8; G. S. '83, p. 898, Sec. 3053; Mills Ann. St., Sec. 4022.

1. Sections 91 and 92 referred to are Secs. 92 and 93.

**Delinquent Officers—Penalties.**

Sec. 59. No superintendent or district officer shall receive any compensation, who has neglected or refused to perform any duty required by law, and any district officer so neglecting or refusing, when specially directed by a majority of the district board, shall be deemed guilty of a misdemeanor, and it shall be deemed a violation of law for any person to draw or sign a warrant for the payment of such delinquent officer, and any person so signing a warrant shall be liable in double the amount of such warrant. [G. L. '77, p. 827, Sec. 2504; G. S. '83, p. 898, Sec. 3054; Mills Ann. St., Sec. 4023.

**TEACHERS.****Must Have License—Expiration—Proviso.**

Sec. 60. No district board shall employ any person to teach in any of the public schools of the state, unless such person shall have a license to teach, issued by the proper district, county or state authority, and in full force at the date of employment; and any teacher who shall commence teaching in any such school without such license, shall forfeit all claim to compensation out of the school fund for the term so teaching without such license. And if a teacher's license shall expire by its own limitation within a term of employment, such expiration shall not have the effect to stop the school, or stop the teacher's pay; Provided, That a teacher whose certificate so expires, if the term of school for which such teacher is employed extends more than one month after such expiration, shall secure a new certificate, or a renewal of the one held while the same is in force; and, Provided, further, That a certificate shall not be required of persons employed to teach either music, drawing or modern languages only. No teacher shall be dismissed without good cause shown, and such teacher shall be entitled to receive pay for services rendered. [G. L. '77, p. 828,

Sec. 2505; G. S. '83, p. 398, Sec. 3055, as amended by L. '87, p. 396, Sec. 26; Mills Ann. St., Sec. 4024.

1. Kindergarten teachers, p. 100, Sec. 1.

**Teachers to Keep Register—Statistics—Blanks.**

Sec. 61. It shall be the duty of the teacher of every public school in this State to keep, in a neat and businesslike manner, a daily register in such form and upon such blanks as shall be prepared by the Superintendent of Public Instruction. At the close of each term of school, not to exceed four months, the teacher shall fill the summary in such register, and, in ungraded schools, file the register with the secretary of the district, who shall preserve the same; in graded schools the register aforesaid shall be filed with the principal or superintendent of the district, in which case said principal or superintendent shall make an abstract of the summaries of all such registers upon blanks prepared by the Superintendent of Public Instruction, and file the same with the secretary, which shall also be preserved. The teacher, principal or superintendent, as the case may be, who is in charge of the last term of school in any school year, shall file with the secretary a summary of the statistics for the year, as shown by the summarized reports of all the terms during the year. The principal teacher of every public school, within one week after the beginning of each term, shall notify the county superintendent of the date of such beginning and the proposed length of the term. Nothing in this section shall be construed to prohibit any district board from requiring teachers, principals and superintendents to keep any additional registers and records of statistics which such board may deem desirable. Until the registers, summaries and abstracts herein above described have been filed as aforesaid, it shall be unlawful for the officers of any district to draw a warrant for the last month's salary of any teacher principal or superintendent whose duty it is to make and file such register, sum-

mary or abstract. All blanks required in the execution of this section shall be supplied by the superintendent of public instruction to county superintendents, and by them to district secretaries. [G. L. '77, p. 828, Sec. 2506, as amended by L. '83, p. 271, Sec. 11; G. S. '83, p. 899, Sec. 3056, as amended by L. '87, p. 397, Sec. 27; Mills Ann. St., Sec. 4025.

#### SPECIAL DISTRICT MEETINGS.

##### In Districts of Third Class.

Sec. 62. In any district of the third class, the board of directors may at any time call a special meeting of the electors of such district, for any of the purposes specified in section sixty-two [sixty-three] of this act, and it shall be their duty to call such meeting if petitioned so to do by ten (10) legal voters of the district. Notices, specifying the time, place and object of such meeting shall be posted in three (3) public places, one of which shall be at the place of meeting, at least twenty (20) days prior to the time of holding such meeting. [G. L. '77, p. 829, Sec. 2507; G. S. '83, p. 899, Sec. 3057; Mills Ann. St., Sec. 4026.

1. Classes of districts—election of directors. Sec. 41.

##### Powers of Electors at Meetings.

Sec. 63. The qualified electors of districts of the third class, when assembled at any regular or special meeting shall have power:

First—To appoint a chairman and secretary in the absence of the regular officers.

Second—To adjourn from time to time, as occasion may require.

Third—To fix the site for each school house, taking into consideration in doing so the wants and necessities of the people of each portion of the district.

Fourth—To order such tax on taxable property of the district as the meeting shall deem sufficient for any of the following purposes: To pay teachers; to

purchase or lease a suitable site for a school house or school houses; to build, rent or purchase a school house or school houses and to keep in repair and furnish the same with the necessary fuel and appendages; for procuring libraries for the schools, books and stationery for the use of the board and district meetings, and to defray all other contingent expenses of the district.

Fifth—To direct the sale or other disposition to be made of any school house, or the site thereof, and of such other property, real or personal, as may belong to the district, and to direct the manner in which the proceeds arising therefrom shall be applied.

Sixth—To transact generally such business as may tend to promote the cause of education, in accordance with the provisions of this act.

Seventh—To adopt any rules of order for the government of district meetings not incompatible with the provisions of this act, and to alter and change the same from time to time, as occasion may require. [G. L. '77, p. 830, Sec. 2508; G. S. '83, p. 899, Sec. 3058; Mills Ann. St., Sec. 4027.

#### COUNTY SCHOOL TAXES.

County Commissioners Shall Cause School Tax to Be Levied.

Sec. 64. The county commissioners shall, at the time of levying the tax for county purposes, cause to be levied a tax for the support of the schools within the county, of not less than two (2) mills on the dollar, of the assessed value of all taxable property, real and personal, within the county, which tax shall be collected by the county treasurer at the same time, and in the same manner, as state and county taxes are collected, except that it shall be receivable only in cash. It is hereby made the duty of the county superintendent of schools to certify to the board of county commissioners at this time the amount of money needed per capita, to enable each school dis-

trict in the county to maintain a public school four (4) months in each year, as required by law. In making his estimate, the county superintendent shall not take into consideration districts whose school population shall be less than fifteen (15), as shown by the school census preceding the time of making the levy. He shall use as a basis for making his estimate the sum of forty (40) dollars per month for the teacher's salary. All other expenses of the school must be provided for by the board of directors by special tax. It is hereby made the duty of the county commissioners to increase the minimum rate of two (2) mills, to what shall be required for the purpose, as stated as above; Provided, That such tax levy shall in no case exceed five (5) mills; Provided, further, If any school district shall fail to certify a special tax for other expenses of the district necessary to maintaining a public school each year, as provided for in Section seventy-seven, the county commissioners shall cause the same to be levied. [G. L. '77, p. 830, Sec. 2509; G. S. '83, p. 900, Sec. 3059, as amended by L. '87, p. 398, Sec. 28; Mills Ann. St., Sec. 4028, as amended by L. '91, p. 316, Sec. 1; 3 Mills Ann. St., Sec. 4028.

1. Limit of levy, p. 108, Sec. 3.

#### County Clerk Must Levy—Officer Failing, Forfeiture.

Sec. 65. No county clerk or other person, who shall make out the tax list or assessment roll of any county, shall omit or neglect to levy said tax of two (2) mills, as aforesaid, by reason of the omission of the board of county commissioners to pass a resolution for that purpose. Failure to levy a tax of at least two (2) mills, as above specified, shall be deemed a violation of the law, and the person or persons through whose neglect or refusal the failure so to levy shall occur, shall forfeit the sum of one hundred (100) dollars each, and be liable for all damages resulting from such neglect or failure. [G. L. '77, p. 831, Sec. 2510; G. S. '83, p. 900, Sec. 3060; Mills Ann. St., Sec. 4029.

**County Treasurer Certify School Moneys Collected—Pay Over  
—Failure—Penalty.**

Sec. 66. The county treasurer shall, on or before the first day of January, April, July and October of each year, certify the amount of said tax which shall have been collected, and the amount of any other county school money then in the county treasury, to the county superintendent, and shall render him a statement of the amount uncollected. The amount unpaid shall be collected at any subsequent time as delinquent taxes are collected, and shall be certified to the county superintendent, as aforesaid. Should the treasurer fail at any time to pay over the tax, as herein provided, he shall forfeit the sum of one hundred (100) dollars, and double damages, to be collected on his official bond; suit to be brought by the county superintendent, for the benefit of his county [school fund.] [G. L. '77, p. 821, Sec. 2511; G. S. '83, p. 901, Sec. 3061; Mills Ann. St., Sec. 4030.

1. County treasurer pay school orders. Secs. 68, 68a, 68b.

**School Boards Shall Certify to Commissioners the Tax to Be  
Levied—Limit—Duties of Assessor and Treasurer—Pro-  
viso.**

Sec. 67. On or before the day designated by law for the commissioners of each county to levy the requisite taxes for the then ensuing year, the school board in each district shall certify to the county commissioners the number of mills per dollar which it is necessary to levy on the taxable property of the district, to raise a special fund for any of the purposes specified in Section fifty-one of this chapter, and the county commissioners shall cause the same to be levied at the same time that other taxes are levied, and the amount of such special tax which shall be assessed to each taxpayer of such district shall be placed in a separate column of the tax book, which shall be headed "Special School Tax;" Provided, That a school board of a district of the third class shall not certify, as above, to a higher rate than fifteen

mills per dollar. There shall also be a column in said tax book in which shall be designated the number of the school district in which the property is listed. This tax shall be collected in cash only, and placed to the credit of the proper district as fast as collected, and the amount placed to the credit of each district shall be reported to the secretary of such district at the end of every month, and shall be subject to the order of the district board. It is hereby made the duty of the county assessor and county treasurer to so arrange their tax schedules and books as to conform to the above provisions; Provided, That the county assessor shall list all property, both real and personal, in the school district in which the same may be on the first day of May; and, Provided, further, That the board of any district may order the levy of not to exceed one-tenth of one mill, the proceeds of which shall be used exclusively in the purchase of books for a library, to be open to the public, under such rules as the district board may deem needful for the proper care of the said library. [G. L. '77, p. 831, Sec. 2512, as amended by L. '81, p. 218, Sec. 10; G. S. '83, p. 901, Sec. 3062, as amended by L. '87, p. 398, Sec. 9; Mills Ann. St., Sec. 4032.

1. Limit of levy, p. 108, Sec. 3.

#### **Treasurer Keep Separate Accounts—Warrants.**

Sec. 68. It shall be the duty of the county treasurer to open and keep separate accounts with each school district in his county, and hold the funds of each district, subject to the legal warrants of the president, as provided by Section 53 of this chapter. If the legal warrant of any school district in his county be presented to the county treasurer when there are no funds in his hands to the credit of the district fund against which the warrant is drawn, he shall endorse such warrant "No funds," and said warrant shall draw interest from the date of such endorsement at the same rate as county warrants in

like condition. The treasurer shall keep a list of all warrants so endorsed, and shall pay them whenever there is sufficient money to the credit of the proper fund in the order of such endorsement. The interest on such warrants shall stop when the treasurer shall give notice that he has funds to pay the same; Provided, It shall not be lawful for the officers of any district to issue warrants at any time in an amount in excess of the tax levy for the current year. [G. L. '77, p. 832, Sec. 2513; G. S. '83, p. 901, Sec. 3063, as amended by L. '87, p. 399, Sec. 30; Mills Ann. St., Sec. 4033.

1. Duties of county treasurer in matters of school funds. Sec. 26.

An Act to provide for the payment of school orders by the county treasurer, as soon as there is money on hand for the payment of the same. Approved March 29, 1887. In force June 29, 1887. [L. '87, p. 405.

#### Pay School Orders.

Sec. 68a. It shall be the duty of the county treasurer of each county in this state, when there are sufficient funds to the credit of any school district, or to the credit of any school fund of any such district, to pay in full the principal and interest of any orders which may be on such fund, in the order of their registration, and if at any time there shall be \$200 in the hands of such treasurer, to the credit of any such fund, it shall be his duty to cause to be published in some newspaper published at the county-seat of such county, for twenty days, a notice that certain school orders (describing same by numbers and amounts) will be paid upon presentation, and at the expiration of said twenty days' advertisement such orders shall cease to bear interest. [L. '87, p. 405, Sec. 1; Mills Ann. St., Sec. 4031.

An Act to provide a penalty for failure of the state or county, city, town or school district treasurers to call warrants as provided by law. Approved and in force April 4, 1899. L. '99, p. 424.

**Failure to Publish Call—Penalty.**

Sec. 68b. Whenever the treasurer of the State or any county, city, town or school district shall have in his hands any moneys applicable to the payment of any city or county, state or school district warrant and shall fail or neglect for thirty days to publish a call as provided by law for the presentation and payment of warrants, he shall be deemed guilty of a misdemeanor and, upon conviction, shall be liable to a fine (of) not less than ten nor more than three hundred dollars. [L. '99, p. 424, Sec. 1.

**PENAL FUND.**

**What Fines Paid to School Fund—Accounts—Collector Failing to Pay—Penalty—Duty of Superintendent.**

Sec. 69. All fines, penalties and forfeitures provided by this act may be recovered by action of debt, in the name of The People of the State of Colorado, for the use of the proper school district or county, and shall, when they accrue, belong to the respective districts or counties in which the same may have been incurred; and the county treasurers, for their counties, are hereby authorized to receive and cause to be placed to the proper credit such forfeitures. Except as otherwise provided by law, all sums of money derived from fines imposed for violation of orders of injunction, mandamus and other like writs, or for contempt of court, shall be paid into the school fund of the county wherein the contempt or such violation was committed; and the clear proceeds of all fines collected within the several counties of the state for breach of the penal laws, and all funds arising from the sale of lost goods and estrays shall be paid over in cash by the person collecting the same, within twenty (20) days after the collection, to the county

treasurer of the county in which the same have accrued, and shall be by him credited to the general county school fund. He shall indicate in such entry the source from which such money was derived. Any officer, or person, collecting or receiving any such fines, forfeitures or other moneys, and refusing and [or] failing to pay over the same, as required by law, shall forfeit double the amount so withheld, and interest thereon at the rate of five (5) per cent. per month during the time of so withholding the same; and it shall be a special duty of the county superintendent of schools to supervise and see that the provisions of this section are fully complied with, and report thereupon to the county commissioners semi-annually, or oftener, if required by them. [G. L. '77, p. 832, Sec. 2514; G. S. '83, p. 902, Sec. 3064; Mills Ann. St., Sec. 4034.

1. County treasurer make report of, p. 101, Sec. 2.
2. Justice report fines, p. 101, Sec. 1.

#### SPECIAL BUILDING FUND.

##### Levy Not to Be Reconsidered.

Sec. 70. It shall not be lawful for a district or a district board to reconsider the question of the levy of a special tax after the same has been certified to the county commissioners, nor shall said commissioners be charged with any discretion in the matter of such levy further than to ascertain if the law has been obeyed. [G. L. '77, p. 833, Sec. 2515; G. S. '83, p. 902, Sec. 3065, as amended by L. '87, p. 399, Sec. 31; Mills Ann. St., Sec. 4035.

##### Illegal to Use General School Fund for Building Purposes— Proviso.

Sec. 71. It shall be illegal for any school board to appropriate or cause to be used any money belonging to the general school fund, for the purpose of building, furnishing or erecting additions to any school house, or for the purchase or improvement of

any school house, site or lot; Provided, That if any portion of the aforesaid school fund remains to the credit of any district after the payment of all expenses necessary to the support of a public school for a period of ten months in any one year, in said district, it shall be lawful for the district board to use such balance for any of the purposes provided for in Section fifty-one of this chapter. [G. L. '77, p. 833, Sec. 2516; G. S. '83, p. 902, Sec. 3066; as amended by L. '87, p. 399, Sec. 32; Mills Ann. St., Sec. 4036.

1. Public contracts, p. 77, Sec. 1.

#### APPORTIONMENT OF SCHOOL FUND.

##### Basis of Apportionment.

Sec. 72. In apportioning the general fund, as directed in Section 19 of this chapter, the county superintendent shall base the July apportionment, in each year, on the census lists and reports of the secretaries of the several districts for the school year next preceding, and he shall base all apportionments on said lists and reports for a period of one year, except in the case of the apportionment to new districts, as provided in Section 32 of this chapter. [G. L. '77, p. 834, Sec. 2517; G. S. '83, p. 903, Sec. 3067, as amended by L. '87, p. 400, Sec. 33; Mills Ann. St., Sec. 4037.

##### Apportionment.

Sec. 73. The county superintendent shall apportion the funds aforesaid among the districts entitled to the same, according to the number of persons of school age, as shown by the census lists and report of the several districts for the school year immediately preceding, as provided in Section 72. [G. L. '77, p. 854, Sec. 2518; G. S. '83, p. 903, Sec. 3068, as amended by L. '87, p. 400, Sec. 34; Mills Ann. St., Sec. 4038.

Failure of Secretary to Report — Duty of Superintendent of Public Instruction.

Sec. 74. Whenever a district secretary fails to file his annual report and census list with the county superintendent, according to law, thereby rendering it impossible for the said superintendent to apportion to such district any part of the general fund for the ensuing year, if it can be shown to the satisfaction of the Superintendent of Public Instruction that such report and census list were prepared and reasonable diligence used to place the same in the hands of the county superintendent, and that such report and census list failed to reach said superintendent by reason of some accident or extraordinary occurrence; and if it be further shown that a public school was maintained in such district for not less than the minimum time required by the State constitution; and if it be also shown that duplicates of the missing papers have been placed in the hands of the county superintendent, or in his office, then the Superintendent of Public Instruction shall direct the county superintendent to apportion to such district its per capita share of the general fund distributed during the remainder of the year, as provided in section 72. [G. L. '77, p. 834, Sec. 2519; G. S. '83, p. 903, Sec. 3069, as amended by L. '87, p. 400, Sec. 35; Mills Ann. St., Sec. 4039.

1. Report of Secretary. Sec. 56.

Failure to Maintain School.

Sec. 75. Any school district failing to maintain a public school at least three months of any school year, shall not be entitled to receive any portion of the school fund for that year. [G. L. '77, p. 834, Sec. 2520; G. S. '83, p. 903, Sec. 3070, as amended by L. '87, p. 401, Sec. 36; Mills Ann. St., Sec. 4040.

## SCHOOLS.

**Public School Defined.**

Sec. 76. A public school is hereby defined to be a school that derives its support entirely, or in part, from moneys raised by a general State, county or district tax. [G. L. '77, p. 835, Sec. 2521; G. S. '83, p. 904, Sec. 3071; Mills Ann. St., Sec. 4041.

**Schools Open, to Whom.**

Sec. 77. Every public school, except high schools, shall be open for the admission of all children between the ages of six (6) and twenty-one (21) years residing in that school district during at least four school months in each year, and the school board shall have power to admit adults, and children not residing in the district, if they see fit so to do, and to fix the terms of such admission. [G. L. '77, p. 835, Sec. 2522; G. S. '83, p. 904, Sec. 3072, as amended by L. '89, p. 301, Sec. 3; Mills Ann. St., Sec. 4042.

**Schools Taught in English Language — Hygiene — Spanish — German.**

Sec. 78. The public schools of this state shall be taught in the English language, and the school boards shall provide to have taught in such schools the branches specified in section 15 of said chapter, and such other branches of learning in [and] other languages as they may deem expedient, including hygiene with special reference to the effects of alcoholic stimulants and narcotics upon the human body; and whenever the parents or guardians of twenty or more children of school age shall so demand, the board of such school district may procure efficient instructors and introduce the German and Spanish languages, or either of them, and gymnastics, as a branch of study into such school; and said district board may, upon like demand of the parents and guardians of children of school age, procure efficient

instructors to teach the branches specified in said section 15, in the German and Spanish languages, or in either of such languages as said board may direct. [G. L. '77, p. 835, Sec. 2523; G. S. '83, p. 904, Sec. 3073, as amended by L. '87, p. 401, Sec. 37; Mills Ann. St., Sec. 4043.

**School Year—Month—Week—Day—National Holidays.**

Sec. 79. The school year shall begin on the first day of July and end on the thirtieth day of June. A school month shall be four weeks, a school week five days, and a school day shall not exceed six hours, excluding the time of intermission at noon. The term "National Holidays," in this chapter, shall be construed to mean Thanksgiving Day, Christmas Day, New Year's Day, Washington's Birthday, Decoration Day, Labor Day and the Fourth day of July. Election day in November. [G. L. '77, p. 835, Sec. 2524; G. S. 83, p. 904, Sec. 3094, as amended by L. '87, p. 401, Sec. 38; Mills Ann. St., Sec. 4044.

**SCHOOL CENSUS.**

**Census—School Age.**

Sec. 80. A school census is hereby defined to be a census embracing all persons between the ages of six and twenty-one years. School age is hereby defined to be any age over six and under twenty-one years. [G. L. '77, p. 835, Sec. 2525; G. S. '83, p. 904, Sec. 3075; Mills Ann. St., Sec. 4045.

1. County Superintendent take census. Sec. 54.

**TEACHERS' NORMAL INSTITUTES.**

**Normal Institutes—Time and Place—How Determined.**

Sec. 81. For the purpose of organizing and maintaining teachers' normal institutes, the state shall be divided into the following institute districts, viz: The counties of Sedgwick, Phillips, Logan,

Yuma, Washington and Morgan to constitute normal district No. one (1). The counties of Weld, Larimer and Boulder to constitute normal district No. two (2). the county of Arapahoe to constitute normal district No. three (3). The counties of Gilpin, Clear Creek and Jefferson to constitute normal district No. four (4). The counties of Douglas, Elbert and El Paso to constitute normal district No. five (5). The counties of Kit Carson, Lincoln and Cheyenne to constitute normal district No. six (6). The counties of Fremont, Custer and Pueblo to constitute normal district No. seven (7). The counties of Kiowa, Otero, Bent, Prowers and Baca to constitute normal district No. eight (8). The counties of Huerfano and Las Animas to constitute normal district No. nine (9). The counties of Saguache, Costilla, Conejos and Rio Grande to constitute normal district No. ten (10). The counties of La Plata, Montezuma, Archuleta, Dolores and San Juan to constitute normal district No. eleven (11). The counties of San Miguel, Ouray, Hinsdale, Mesa, Delta, Montrose and Gunnison to constitute normal district No. twelve (12). The counties of Chaffee, Lake, Park, Pitkin, Eagle, Summit, Garfield, Routt, Rio Blanco and Grand to constitute normal district No. thirteen (13). Provided, That new counties formed within the limits of any institute district shall be a part of said district. A normal institute for the instruction of teachers and those desiring to teach may be held annually for a term of not less than two weeks in each normal district of the state. The county superintendents of each institute district shall annually select not more than three of their number as an executive committee, who, with the advice and consent of the superintendent of public instruction and the president of the state normal school, shall determine the time and place of holding such normal institute, and shall select a conductor and instructor for the same. To defray the expense of said institute the executive com-

mittee shall require the payment of one dollar registration fee for each person attending the normal institute, and each county superintendent is hereby authorized to add five per cent. to the average standing in examination of teachers who shall attend the normal institute from his county. When a normal institute of not less than two weeks is held in any institute district of the state the executive committee in charge shall certify to the boards of county commissioners of the several counties within the district the number and names of the persons attending said institute from their respective counties, and it shall be the duty of the board of county commissioners of the county where such persons belong to appropriate the sum of two dollars for each person so certified. The funds arising from registration fees and appropriations of county commissioners shall be designated the "Normal institute fund," and some county treasurer, whom a majority of the county superintendents of the district shall designate, shall be the custodian of said funds. The executive committee shall, at the close of each institute, transmit to said custodian all funds received by it, as provided in this section, together with the name of each person paying a registration fee. The executive committee shall also report to the several boards of county commissioners in the district, the name and address of the custodian of the "Normal institute fund." On the receipt of such notice the several boards of county commissioners shall issue warrants for the appropriations provided in this section, payable to said custodian. It shall be the duty of the Superintendent of Public Instruction, annually, when the executive committee of any normal institute district shall certify that not less than twenty persons have paid the registration fee, and have received instructions during the session of the institute, to certify the same to the Auditor of State, who shall forward to the custodian of the "Normal institute fund" of such district a warrant on the State Treasurer for the sum

of fifty dollars, to be paid out of any money appropriated for that purpose. All disbursements of the "Normal institute fund" shall be upon the order of the executive committee, and no order shall be drawn on said fund except for claims approved by said committee for services rendered and expenses incurred in connection with the normal institute. It shall be unlawful to pay any one from the institute fund for services as conductor or instructor for such institute, who does not hold a certificate or qualification for such work, issued by the State Board of Education, upon the recommendation of the State Board of Examiners; Provided, That a member of the State Normal School faculty shall be ex officio a conductor of normal institutes. [G. L. '77, p. 836, Sec. 2526, as amended by L. '83, p. 272, Sec. 13; G. S. '83, p. 904, Sec. 3076, as amended by L. '87, p. 402, Sec. 39; Mills Ann. St., Sec. 4048, as amended by L. '91, p. 320, Sec. 1; 3 Mills Ann. St., Sec. 4048.

1. By act of the Twelfth General Assembly, Teller county was made a part of the fifth normal institute district. [L. '99, p. 415, Sec. 13.

2. By act of the Eleventh General Assembly, Mineral county was made a part of normal district No. ten (10).

#### APPEALS.

From District Board to County Superintendent.

Sec. 82. Any person aggrieved by any decision or order of the district board of directors, in matter of law or fact, may, within thirty days after the rendition of such decision, or making of such order, appeal therefrom to the county superintendent of the proper county. [G. L. '77, p. 836, Sec. 2527; G. S. '83, p. 905, Sec. 3077; Mills Ann. St., Sec. 4049.

**Affidavit.**

Sec. 83. The basis of the proceeding shall be an affidavit, filed by the party aggrieved, with the county superintendent, within the time for taking the appeal. [G. L. '77, p. 836, Sec. 2528; G. S. '83, p. 905, Sec. 3078; Mills Ann. St., Sec. 4050.

**Contents of Affidavit.**

Sec. 84. The affidavit shall set forth the errors complained of in a plain and concise manner. [G. L. '77, p. 836, Sec. 2529; G. S. '83, p. 905, Sec. 3079; Mills Ann. St., Sec. 4051.

**Superintendent Notify Secretary—Transcript.**

Sec. 85. The county superintendent shall, within five days after the filing of such affidavit in his office, notify the secretary of the proper district, in writing, of the taking of such appeal, and the latter shall, within ten days after being thus notified, file in the office of the county superintendent a complete transcript of the record and proceedings relating to the decision complained of, which shall be certified to be correct by the secretary. [G. L. '77, p. 837, Sec. 2530; G. S. '83, p. 905, Sec. 3080; Mills Ann. St., Sec. 4052.

**Notice to Parties.**

Sec. 86. After the filing of the transcript, aforesaid, in his office, he shall notify, in writing all persons adversely interested, of the time and place where the matter of the appeal will be heard by him. [G. L. '77, p. 837, Sec. 2531; G. S. '83, p. 905, Sec. 3081; Mills Ann. St., Sec. 4053.

**Hearing Appeal—Oaths.**

Sec. 87. At the time thus fixed for hearing, he shall hear testimony for either party, and for that purpose may administer oaths, if necessary, and he shall make such decision as may be just and equitable, which shall be final, unless appealed from, as hereinafter provided. [G. L. '77, p. 837, Sec. 2532; G. S. '83, p. 905, Sec. 3082; Mills Ann. St., Sec. 4054.

**Appeal from County Superintendent to State Board of Education.**

Sec. 88. Any person or district board aggrieved by any decision or order of the county superintendent

in matter of law or fact, may, within thirty days after the rendition of such decision or making of such order, appeal therefrom to the State Board of Education, in the same manner as provided in this act for taking appeals from the district board to the county superintendent, as nearly as applicable. In case of an appeal, where a trial has been had before the county superintendent and a decision rendered, the State board shall examine a transcript of such proceeding and render a decision therefrom, but no new testimony shall be admitted. In other cases of appeal the board may require of the parties such papers and documents as may be thought necessary, and the board shall have power to administer oaths through its president. The decision of the board, or a majority of said board, shall be rendered by the president, and such decision, when made, shall be final. When an applicant for a certificate at a regular examination shall feel aggrieved at the decision of the county superintendent, and shall appeal to the State board, the questions used and the answers given shall be examined by the board, and if the decision of the county superintendent be reversed, the State board shall issue to the appellant a certificate of such grade as the answers shall warrant; Provided, That a good moral character and success as a teacher be shown. [G. L. '77, p. 837, Sec. 2533; G. S. '83, p. 905, Sec. 3083, as amended by L. '89, p. 301, Sec. 4; Mills Ann. St., Sec. 4055.

#### No Judgment for Money.

Sec. 89. Nothing in this act shall be so construed as to authorize either the county superintendent or the State board to render a judgment for money; neither shall they be allowed any other compensation than is allowed by law. All necessary postage must first be paid by the party aggrieved. [G. L. '77, p. 837, Sec. 2534; G. S. '83, p. 906, Sec. 3084; Mills Ann. St., Sec. 4056.

## SCHOOL DISTRICT BONDS.

## Question of Bonded Debt Submitted to Voters—Qualifications of Voters—Limitation of Debt.

Sec. 90. On the petition of twenty legal voters of any school district, the secretary of said district shall give notice not less than twenty days before any regular or special meeting held under the provisions of this chapter, that the question of contracting a bonded debt for the purpose of erecting and furnishing school buildings, or purchasing ground, or for funding floating debts, will be submitted to such qualified voters of the district as have paid a school tax therein in the year next preceding the said meeting; Provided, That it shall be lawful for districts of the first and second class to hold special meetings for this purpose, in the same manner as is provided in this chapter for districts of the third class. Any person offering to vote may be challenged by any legally qualified elector of the district, and any one of the judges of election shall thereupon administer to the person challenged an oath, as follows: "You do swear (or affirm) that you are a citizen of the United States, or that you have declared your intention to become such; that you have resided in the State of Colorado six months immediately preceding this election; that you are twenty-one years of age; that you have resided in this district thirty days next preceding this election; and that you have paid a school tax within this school district during the past year, and that you have not voted at this election, so help you God (or under the pains and penalties of perjury)." If he shall refuse to take such oath or affirmation, his vote shall be rejected. The electors aforesaid shall first agree, by a majority vote, on the amount of indebtedness to be created, if any (but in no case shall the aggregate amount of bonded indebtedness of any school district exceed three and one-half per cent. of the assessed value of the property of such district),

and shall then proceed to vote by ballot "For the bonds," or "Against the bonds," and the ballot box for this purpose shall be kept open, as provided in section forty-four of this act; and if it appear that a majority of all the votes cast are "For the bonds," the board of directors, as soon as practicable, shall issue coupon bonds of the district, bearing interest not exceeding eight per cent. per annum, payable semi-annually, and redeemable at the pleasure of the district, after five years, and payable fifteen years from date, the principal and interest payable at the office of the treasurer of the county in which the said district may be situated, or the interest may be made payable in the city of New York, at the option of the holders thereof, and the cancelled coupons shall be at the disposal of the district board. [G. L. '77, p. 837, Sec. 2535; G. S. '83, p. 906, Sec. 3085, as amended by L. '87, p. 404, Sec. 40; Mills Ann. St., Sec. 4057.

1. Refunding bonds, Sec. 99.

**Registry of Bonds—Recorder's Duty.**

Sec. 91. Whenever any school district shall issue bonds under the provisions of this act, all such bonds shall, previous to being negotiable, be presented to the recorder of the county, to be duly registered by him in a book kept for that purpose in his office, noting the school district, amount, time of payment and rate of interest, and all such bonds shall state on their face that they are issued under the provisions of this act. [G. L. '77, p. 838, Sec. 2536; G. S. '83, p. 907, Sec. 3086; Mills Ann. St., Sec. 4058.

**Special Tax — Treasurer's Duty — County Board — Payment — Treasurer Advertise.**

Sec. 92. Whenever any school district shall issue bonds under the provisions of this act, it shall be the duty of the board of commissioners of the county in which said district may be situated to levy and assess a special tax on the taxable property of such

district in amount sufficient to pay the interest coupons thereon, when the same shall become due according to their tenor and effect, and the county treasurer shall collect the same as other taxes are collected, in cash only, keeping the same separate from other funds received by him; and if there shall be any surplus after paying [the coupons and] the expenses of collecting such special tax, the treasurer shall, without delay, pass the same to the credit of such school district, and such fund so passed to the credit of the district shall be subject to the disposal of the board of directors. And after the expiration of five years next after the issue of such bonds, and annually thereafter, until the full payment of said bonds, the said county commissioners shall provide by taxation, and shall collect at least ten per centum, and not more than twenty per centum, of the principal of such bonds, which amount shall be assessed and collected the same as the tax for the payment of the interest coupons, and when collected shall be turned over to the treasurer of such school district, such money to be used only in the payment of such bonds, in manner as follows: The treasurer of such school district, immediately after receiving the money as aforesaid, shall advertise in some newspaper published in his county, if there be any, for four successive weeks, that, on a certain day named in the advertisement, he will pay certain of the district bonds, said bonds to be described in the advertisement by number and amount, and the advertisement shall further state that after the day so fixed for payment the interest on the bonds described as aforesaid shall cease and determine. The said payment shall be made at the office and in the presence of the treasurer of the county, who shall cancel the bonds redeemed, and a minute of such cancellation shall be made on the books of the county recorder, after which they shall be at the disposal of the district board. The provisions of this section for levying and collecting taxes, and for the payment of interest coupons, shall be applicable to all school dis-

tricts that have issued bonds under the provisions of the laws of the Territory of Colorado. [G. L. '77, p. 838, Sec. 2537; G. S. '83, p. 907, Sec. 3087; Mills Ann. St., Sec. 4059.

#### Redemption of Bonds—Premium.

Sec. 93. In all districts that have issued bonds under the provisions of the laws of the Territory of Colorado, the treasurer of the district, immediately after receiving the annual installment of the fund for the redemption of said bonds, as provided in section 91 [92], shall go into the market and, at the lowest price for which he can obtain such bonds, shall use such fund in the retiring of such bonds to the extent of such fund; Provided, That the said treasurer shall not pay more than five per cent. premium on any bonds of his district, and any balance of said funds remaining in the hands of said treasurer shall be invested, as nearly as possible, in United States bonds or State bonds of Colorado. [G. L. '77, p. 839, Sec. 2538; G. S. '83, p. 908, Sec. 3083; Mills Ann. St., Sec. 4060.

#### U. S. Bonds, How Kept—Proceeds—Sale.

Sec. 94. All United States or state bonds, which may come into the hands of any district treasurer, under the provisions of this act, shall be duly recorded in the books of the district and deposited in the safety vault of some bank within the State, selected by the district board. The interest coupons of said bonds shall be duly collected by the district treasurer, and the proceeds turned over to the county treasurer, to be used in the payment of the interest coupons of the bonds of such district, and the annual tax for the payment of the interest on said district bonds shall be proportionately lessened. Said United States or State bonds shall be sold by the district board at the best market rates, and the proceeds thereof used to redeem the bonds of the district when the same become due or when they can be bought at

not to exceed five per cent. premium. [G. L. '77, p. 840, Sec. 2539; G. S. '83, p. 908, Sec. 3089; Mills Ann. St., Sec. 4061.

**Change of Boundaries Not Release Property—Annexed Property.**

Sec. 95. No change in the boundary lines of such school district shall release the taxable real estate of the district from assessment and levy of taxes to pay the interest and principal of such bonds, and if there shall be any change of the lines of such school district, so as to leave any portion of the taxable real estate of the district out of the district, which was subject to taxation in the district at the time of the issue of such bonds, the assessment and levy for principal and interest of such bonds shall be made on such property as if it were still within the district, and if there shall be any change of the lines of such school district, so as to annex any taxable real estate, after the issue of such bonds, the real estate so annexed shall thereafter be subject to the assessment and levy for principal and interest of such bonds. [G. L. '77, p. 840, Sec. 2540; G. S. '83, p. 908, Sec. 3090; Mills Ann. St., Sec. 4062.

**County Treasurer's Fees.**

Sec. 96. The treasurer of the county shall receive the same compensation for the collection of such special taxes as he does for other school taxes. [G. L. '77, p. 841, Sec. 2541; G. S. '83, p. 909, Sec. 3091; Mills Ann. St., Sec. 4063.

**Bonds—How Executed.**

Sec. 97. All such bonds so issued shall be signed by the president of the board of directors, and shall have the seal of the district attached, and shall be countersigned by the county treasurer. [G. L. '77, p. 841, Sec. 2542; G. S. '83, p. 909, Sec. 3092; Mills Ann. St., Sec. 4064.

**Repeal.**

Sec. 98. An act entitled "An act concerning school bonds," approved January 29, 1872, and all acts amendatory thereto; also, an act entitled "An act to amend, revise and consolidate the acts relating to public schools," approved February 11, 1876, and all other general laws inconsistent with this act, are hereby repealed. [G. L. '77, p. 841, Sec. 2543; G. S. '83, p. 909, Sec. 3093; Mills Ann. St., Sec. 4065.

**Board of Directors Refund Bonded Indebtedness—Interest.**

Section 99. That when the bonded indebtedness of any school district in this state has matured, or may hereafter mature, or has or may hereafter become redeemable at the pleasure of the district, and there shall not be funds in the treasury of such school district available for that purpose with which to redeem or pay such bonds, it shall be lawful for the board of directors of such school district to issue and sell new bonds, equal to the sum necessary and not otherwise provided for the payment of the bonds then matured or those then redeemable at the pleasure of such school district, and such bonds thus issued shall not be sold at a less price than their par value; Provided, It shall be lawful for the board of directors of any school district having a bonded indebtedness, to refund the same, at any time, with the consent of the bond owners, in bonds bearing a less rate of interest than the bonds so refunded and running for a longer time, which said bonds thus issued shall be exchanged at not less than par for the bonds outstanding.

Provided, further, That all bonds issued under this section shall bear interest at such rate as said school board may determine, not to exceed 8 per cent. per annum, and shall be redeemable at the pleasure of the district board, in not to exceed ten years and payable in not to exceed twenty years from the date thereof, and the date after which said bonds

are redeemable shall be plainly written or printed on the face thereof. [L. '79, p. 169, Sec. 1; G. S. '83, p. 909, Sec. 3094; as amended by L. '87, p. 377, Sec. 1; Mills Ann. St., Sec. 4066, as amended by L. '97, p. 263, Sec. 1.

**What Laws Apply to Issue and Payment—Except.**

Sec. 100. All the provisions of the laws of the State of Colorado, now existing, relating to the duties of district and county officers in the issue and payment of district bonds, and relating to the assessment and collection of taxes for the payment of the interest and principal of school district bonds, shall be held to apply equally and in like manner to all matters pertaining to the issue and payment of bonds issued under the provisions of this act, except that the time when taxes shall be levied and collected for the payment of the principal of said bonds shall be as hereinafter provided. [L. '79, p. 169, Sec. 2; G. S. '83, p. 909, Sec. 3095; Mills Ann. St., Sec. 4067.

**County Board Levy Tax—Treasurer Collect.**

Sec. 101. At the time provided by law for the levying of county taxes in the year next preceding the date at which the first installment of said bonds shall mature, and every year thereafter until the whole amount of said bonds shall be redeemed, the board of county commissioners of any county in which bonds shall have been issued under the provisions of this act, shall levy a tax sufficient to pay not less than ten per centum nor more than twenty per centum of the principal of said bonds, and the county treasurer shall collect the same as other taxes are collected, and shall pay the amount so collected to the district treasurer as is now provided by law. [L. '79, p. 169, Sec. 3; G. S. '83, p. 909, Sec. 3096; Mills Ann. St., Sec. 4068.

**Proviso—Submission to Electors.**

Sec. 102. Provided, however, That no bonds shall be issued under the provisions of this act until the question of refunding shall first have been submitted to, and approved by, the qualified voters of the district, as is now, or may be, provided by law, except that the electors shall vote "For refunding," or "Against refunding," instead of "For the bonds," or "Against the bonds." [L. '79, p. 170, Sec. 4; G. S. '83, p. 910, Sec. 3097; Mills Ann. St., Sec. 4069.

**PUBLIC CONTRACTS.**

An Act to prevent frauds in the letting of public contracts. Approved February 3, 1872. [L. '72, p. 163.

**Officer Not Interested in Contract.**

Section 1. Whenever any officer of this state or of any county, city, town or school district therein, shall be charged with the duty of making any contract for or on behalf of this State, or of any county, city, town or school district therein, whereby this state, or any county, city, town or school district therein shall be obliged to pay any sum of money to any person whomsoever, and whenever any such officer, as a member of any board of auditors, commissioners or directors, or otherwise, shall have any vote or voice in awarding any such contract, it shall not be lawful for any such officer to become in any manner bound for the fulfillment of such contract, or to take or receive any part or portion of the money specified in such contract, or to be in any way, manner or degree interested in such contract, excepting in his official representative capacity. [L. '72, p. 163, Sec. 1; G. L. '77, p. 703, Sec. 2080; G. S. '83, p. 769, Sec. 2606; Mills Ann. St., Sec. 3533.

Penalty.

Sec. 2. Whosoever shall offend against the provisions of this act shall be imprisoned not exceeding six months, and fined not exceeding \$2,000, and shall be removed from office. [L. '72, p. 163, Sec. 2; G. L.

'77, p. 703, Sec. 2081; G. S. '83, p. 769, Sec. 2607; Mills Ann. St., Sec. 3534.

#### ALCOHOLIC DRINKS AND NARCOTICS.

An Act to provide for the study of the nature of alcoholic drinks and narcotics and their effects upon the human system, in connection with the several divisions of the subject of physiology and hygiene by the pupils in the public schools of the state. Approved April 4, 1887. In force July 4, 1887. [L. '87, p. 378.

#### Nature and Effects of Alcoholic Drinks and Narcotics Be Taught.

Section 1. That the nature of alcoholic drinks and narcotics and special instructions as to their effects upon the human system, in connection with the several divisions of the subject of physiology and hygiene, shall be included in the branches of study taught in the public schools of the State, and shall be studied and taught as thoroughly and in the same manner as other like required branches are in said schools, by the use of text books, designated by the board of directors of the respective school districts, in the hands of pupils where other branches are thus studied in said schools, and by all pupils in all said schools throughout the State. [L. '87, p. 378, Sec. 1; Mills Ann. St., Sec. 4046.

#### Failure to Enforce Provisions of Act—Penalty.

Sec. 2. That it shall be the duty of the proper officers in control of any school, described in the foregoing section to enforce the provisions of this act; and any such officer, school director, committee, superintendent or teacher, who shall refuse, fail or neglect to comply with the requirements of this act, or shall neglect, refuse or fail or [to] make proper provisions for the instruction required, and in the manner specified by the first section of this act, for all pupils in each and every school under his or her jurisdiction shall be removed from office, and the vacancy filled as in other cases. [L. '87, p. 379, Sec. 2; Mills Ann. St., Sec. 4047.

1. Vacancies. Sec. 47.

# ARBOR DAY.

An Act to establish Arbor Day. Approved March 22, 1889.  
In force June 22, 1889. [L. '89, p. 21.

## Arbor Day—Third Friday in April—How to Be Observed.

Section 1. The third Friday in April of each year shall be set apart and known as "Arbor Day," to be observed by the people of this State in the planting of forest trees for the benefit and adornment of public and private grounds, places and ways, and in such other efforts and undertakings as shall be in harmony with the general character of the day so established; Provided, That the actual planting of trees may be done on the day designated or at such other most convenient time as may best conform to logical climatic conditions, such other time to be designated and due notice thereof given by the several county superintendents of schools for their respective counties. [L. '89, p. 21, Sec. 1; Mills Ann. St., Sec. 2129.

## Holiday in Schools—How Observed.

Sec. 2. The day, as above designated, shall be a holiday in all public schools of the State, and school officers and teachers are required to have the schools under their respective charge observe the day by planting of trees or other appropriate exercises. [L. '89, p. 21, Sec. 2; Mills Ann. St., Sec. 2130.

## Governor Issue Proclamation—Superintendent of Public Instruction—County Superintendents—Report.

Sec. 3. Annually, at the proper season, the Governor shall issue a proclamation, calling the attention of the people to the provisions of this act and recommending and enjoining its due observance. The Superintendent of Public Instruction and the respective county superintendents of schools, shall also promote, by all proper means, the observance of the day, and

the said county superintendents of schools shall make annual reports to the State Forest Commissioner of the action taken in this behalf in their respective counties. [L. '89, p. 21, Sec. 3; Mills Ann. St., Sec. 2131.

#### COMPULSORY EDUCATION.

An Act to secure to children the benefit of elementary education. Approved April 18, 1889. In force July 17, 1889. [L. '89, p. 59.

#### Unlawful to Employ Children Under Fourteen During School —Fines.

Section 1. That it shall be unlawful for any person, persons or corporation to employ any child under the age of fourteen years to labor in any business whatever during the school hours of any school day, of the school term of the public school, in the school district where such child is, unless such child shall have attended some public or private day school where instruction was given by a teacher qualified to instruct in those branches required to be taught in the public school of the state of Colorado, or shall have been regularly instructed at home in such branches by some person qualified to instruct in the same, at least twelve weeks in each year, eight weeks at least of which shall be consecutive, and shall, at the time of such employment, deliver to the employer a certificate in writing, signed by the teacher, certifying to such attendance or instruction; and any person, persons or corporation who shall employ any child contrary to the provisions of this section shall, upon conviction, be deemed guilty of a misdemeanor and fined in a sum not less than twenty-five (25) dollars nor more than fifty (50) dollars; and all fines so collected shall be paid into the county treasury, and placed to the credit of the school district in which the offense occurs. [L. '89, p. 59, Sec. 1; Mills Ann. St., Sec. 417.

**Children Must Be Sent to School—Exception—Clothing.**

Sec. 2. Every parent or guardian, or other person in the State of Colorado, having control of any child or children between the ages of eight (8) and fourteen (14) shall be required to send such child or children to a public school, or private school taught by a competent instructor, for a period of at least twelve (12) weeks in each year, at least eight (8) weeks of which time shall be consecutive, unless such child or children are excused from such attendance by the board of the school district in which such parent, guardian or person having control resides, upon its being shown to their satisfaction that such child's bodily or mental condition has been such as to prevent attendance at school, or application to study for the period required; Provided, That if such parent or guardian is not able, by reason of poverty, to properly clothe any such child, it shall be the duty of the school board of the proper district, upon the fact being shown to their satisfaction, to furnish the necessary clothing and pay for the same out of the school fund of such district, by warrant drawn as in other cases, or that such child or children are taught at home in such branches as are usually taught in the public schools, subject to the same examination as other pupils of the district in which the child resides; or that there is no school taught within two miles by the nearest traveled road. [L. '89, p. 60, Sec. 2; Mills Ann. St., Sec. 418.

**Failure to Comply with Act—Misdemeanor—Penalty.**

Sec. 3. Any parent, guardian or other person failing to comply with the provisions of section 2 of this act shall, upon conviction, be deemed guilty of a misdemeanor and fined in a sum not less than five nor more than twenty-five dollars for each offense; and all fines so collected shall be paid into the county treasury and placed to the credit of the school dis-

trict in which the offense occurs. [L. '89, p. 60, Sec. 3; Mills Ann. St., Sec. 419.

**School Director Prosecute—Failure—Penalty.**

Sec. 4. It shall be the duty of any school director of the district to inquire into all cases of neglect of the duty prescribed in this act, and ascertain from the person neglecting the reason, if any, therefor; and he shall forthwith proceed to secure the prosecution of any offense occurring under this act; and any director neglecting to secure such prosecution for such offense, within ten days after a written notice has been served on him by any taxpayer in said district, unless the person so complained of shall be excused by the district board of education for the reasons hereinbefore stated, shall, upon conviction, be deemed guilty of a misdemeanor and fined in a sum not less than ten nor more than fifty dollars; and such fines when collected, shall be paid into the county treasury and placed to the credit of the school district in which the offense occurs. All actions for offenses committed under this act shall be prosecuted for in the name of The State of Colorado. [L. '89, p. 61, Sec. 4; Mills Ann. St., Sec. 420.

**Malicious Prosecution.**

Sec. 5. That upon the trial of any offense as charged herein, before any court of competent jurisdiction, if it shall be determined that such prosecution was malicious, then the costs in such case shall be adjudged against the complainant and collected as fines in other cases. [L. '89, p. 61, Sec. 5; Mills Ann. St., Sec. 421.

**Attendance at Night School—Equivalent.**

Sec. 6. Two weeks' attendance at half time or night school, shall be considered within the meaning of the article equivalent to an attendance of one week at a day school. [L. '89, p. 61, Sec. 6; Mills Ann. St., Sec. 422.

An Act to compel the elementary education of children in school districts of the first and second class. Approved April 12, 1899. In force July 12, 1899. [L. '99, p. 396.

**Children Sent to School—Exception—Appeal.**

Section 1. That in districts of the first and second class in this state, all parents, guardians and other persons having care of children shall instruct them or cause them to be instructed in reading, spelling, writing, English grammar, geography and arithmetic. In such districts every parent, guardian or other person having charge of any child between the ages of 8 and 14 years, shall send such child to a public, private or parochial school for the following period: In each school year beginning in September, not less than 20 weeks, at least 10 weeks of which, commencing with the first four weeks of the school year, shall be consecutive; Provided, however, That if two reputable physicians within the district shall certify in writing that the child's bodily or mental condition does not permit of its attendance at school, such child shall be exempted during such period of disability from the requirements of this act; and, Provided, further, That if in the opinion of the county superintendent of schools, the child is being instructed at home by a person qualified, such child shall not be required to attend as herein provided. An appeal may be taken from the decision of such superintendent to the county court of the county in which such district lies, upon giving bond within 10 days after such refusal, to the approval of the judge of said court, conditioned to pay all costs of appeal, and the decision of the county court shall be final. All children between the ages of 8 years and 14 years shall attend school for the full term in the schools in the district in which they reside, unless excused for the reasons above named. [L. '99, p. 396, Sec. 1.

**Children Under 14 Years Not Employed—Penalty for Employing.**

Sec. 2. No child under the age of 14 years shall be employed by any person, persons, company or corporations during the school term and while the public schools are in session, unless the parent, guardian or person in charge of such child shall have fully complied with section one of this act. Every such employer shall require proof of such compliance, and shall make and keep a written record of the proof given, which shall be subject to the inspection of the truant officer, superintendent of schools, or any school director of the district. Any employer employing any child contrary to the provisions of this section, shall be fined not less than twenty-five nor more than one hundred dollars. [L. '99, p. 397, Sec. 2.]

**Minors Between 14 and 16 Must Read and Write—Duty of Employer—Penalty.**

Sec. 3. All minors over the age of 14 years and under the age of 16 years who can read and write the English language, shall attend school at least one-half day of each day, or attend a public night school, or take regular private instruction from some person qualified, in the opinion of the county superintendent of schools, in which such district or the greater portion of the same lies, until such minor obtains a certificate from such superintendent that he or she can read at sight and write legibly, simple sentences in English. Every employer employing or having in employment any such minor shall exact as a condition of employment the school attendance or instruction required by this section, and shall on request of the truant officer, furnish the evidence that such minor is complying with the requirements of this section. Every employer failing to comply with the requirements of this section as to any minor employed by him or in his employ, shall be fined not less than twenty-five dollars, and not more than one hundred

dollars; Provided, That any employer with the approval or consent of the county superintendent of schools may make provision for the private instruction of minors in his employ. [L. '99, p. 397, Sec. 3.]

**Truant—Who Is—Juvenile, Disorderly Person.**

Sec. 4. Every child between the ages of 8 and 14 years, and every child between the ages of 14 and 16 years, who can not read and write the English language or not engaged in some regular employment, who is an habitual truant from school, who absents itself habitually from school, or who is in attendance at any public, private or parochial school and is incorrigible, vicious or immoral conduct, or who habitually wanders about the streets and public places during school hours, having no business or lawful occupation, shall be deemed a juvenile disorderly person, and be subject to the provisions of this act. [L. '99, p. 398, Sec. 4.]

**Truant Officer—Powers—Duties—Record.**

Sec. 5. To aid in the enforcement of this act, the board of school directors in districts of the first and second class shall have power, and [and] it shall be their duty, to appoint one or more truant officers whose compensation shall be fixed by the board appointing him. The truant officer shall be vested with police powers, and shall have authority to enter workshops, factories, stores and all other places where children may be employed, in the way of investigation or otherwise, to enforce this act. The truant officer shall institute proceedings against any officer, parent, guardian, person or corporation who shall violate any of the provisions of this act, and shall otherwise discharge the provisions of this act and perform such other services as the county superintendent of schools or the board of directors of the school district may deem necessary to preserve the morals and secure the good conduct of school chil-

dren, and to enforce this act. The truant officer shall keep a record of his transactions for the inspection of the county superintendent of schools and of the directors of the school district, and suitable blanks shall be provided for his use by the secretary of the school district. [L. '99, p. 398, Sec. 5.]

**Truant Officer—Duties—Conviction of Parent—Penalty—Bond—Defense.**

Sec. 6. The truant officer shall examine into any case of truancy within his district, and shall warn the parent, guardian, or others in charge of the child of the final consequences of truancy if persisted in. When any child between the ages of eight and fourteen years, or any child between the ages of fourteen or sixteen years, who can not read and write the English language, or is not engaged in some regular employment, or any child between the age of fourteen years and sixteen years who has been discharged from employment to obtain instruction or schooling, is not attending school without lawful excuse and in violation of the provisions of this act, the truant officer shall notify the parent, guardian, or other person in charge, of the fact, and require such person to cause the child to attend some recognized school within five days from the date of the notice, and it shall be the duty of such person so to cause its attendance at some recognized school. Upon failure to do so, the truant officer shall make complaint in the county court of the county in which such child lives, against the parent, guardian or other person having such child in charge, and upon conviction, the parent, guardian or other person in charge, shall be fined not less than five dollars nor more than twenty dollars, or the court may, in its discretion, require the person so convicted to give a bond in the penal sum of \$100, with sureties to the approval of the judge of such court, conditioned that he or she will cause the child under his or her care to attend some recognized school within five days thereafter, and to remain at

school during the term prescribed at law. And upon the failure or refusal of the parent, guardian or other person to pay such fine or furnish such bond according to the order of the court, the said parent, guardian or other person shall be imprisoned in the county jail not less than ten days nor more than thirty days. For violation of the bond, suit may be brought in any court of competent jurisdiction, in the name of the school district, and the amount recovered shall go to the school fund of the district. If the parent, guardian or other person shall prove his inability to cause the child to attend a recognized school, it shall be a defense, but the child shall be deemed a juvenile disorderly person within the meaning of section 4 of this act. [L. '99, p. 399, Sec. 6.]

**Juvenile, Disorderly Person—Commitment—Term—Expense.**

Sec. 7. Whenever a child shall be a juvenile disorderly person within the meaning of this act, it shall be the duty of the truant officer to make complaint in the county court of the county in which such child resides. The county court shall hear and determine such complaint, and if it is determined that such child is a juvenile disorderly within the meaning of this act, he or she shall be committed to a children's home if eligible, or to the boys' industrial school or the girls' industrial school, or to some other juvenile reformatory, taking into account the years of the child with reference to the institution selected. Any child committed to a children's home on its being shown to the judge of said court that it is incorrigible and vicious, may be transferred to the industrial school or other reformatory. No child committed to any reformatory shall be detained beyond the age of 16 years, and may be discharged sooner by the trustees, under rules and restrictions applicable to other inmates. Any order of commitment may be suspended by the judge of the county court during such time as the child may regularly attend school and

properly conduct itself. The expense of the transportation of the child to the juvenile reformatory, and of the costs of the case in which the order of commitment is made, shall be paid by the county from which the child is committed. [L. '99, p. 400, Sec. 7.

**Child Unable to Attend School—Relief.**

Sec. 8. When any truant officer is satisfied that any child within the requirements of this act is unable to attend school because required to work at home or elsewhere in order to support itself or help or support others legally entitled to its services, the truant officer shall report the case to the authorities charged with the relief of the poor, who shall thereupon afford such relief as will enable the child to attend school; Provided, That such child shall not be required to attend more than three hours a day during school days. In case the child or its parents or guardians neglect or refuse to take advantage of such provision made for its instruction, such child may be committed to a children's home or juvenile reformatory, as hereinbefore provided. [L. '99, p. 400, Sec. 8.

**Violation—Penalty.**

Sec. 9. Any person who violates any provision of this act for which a penalty is not herein provided, shall be fined not more than fifty dollars. [L. '99, p. 401, Sec. 9.

**Second Conviction—Penalty—Trial by Jury.**

Sec. 10. Every person who, after having been convicted once of violating any of the provisions of this act shall be convicted a second time of a similar offense, may, in addition to the punishment by way of fine elsewhere provided for, be imprisoned not less than 10 days nor more than 30 days; Provided, That in all cases arising under this act in which a fine or imprisonment may be a part of the judgment, trial shall be by a jury if not waived. [L. '99, p. 401, Sec. 10.

**Not Apply to Districts Without Accommodations.**

Sec. 11. This shall not apply to school districts in which there are not sufficient accommodations in the public schools to seat children compelled to attend under the provisions of this act. [L. '99, p. 401, Sec. 11.

**STATE NORMAL SCHOOL.**

An Act to establish, govern and maintain a state normal school. Approved April 1, 1889. In force July 1, 1889. [L. '89, p. 409.

**Establishment of State Normal School.**

Section 1. A State Normal School is hereby established at or near the city of Greeley, in the county of Weld and State of Colorado, the purpose of which shall be instruction in the science and art of teaching, with the aid of a suitable practice department, and in such branches of knowledge as shall qualify teachers for their profession; Provided, That a donation shall be made for a site for said State Normal School, consisting of forty acres of land with a building erected thereon, according to plans and specifications furnished by the State Board of Education, and to cost not less than twenty-five thousand dollars, ten thousand dollars of which shall be paid by the State, as hereinafter provided. [L. '89, p. 409, Sec. 1; Mills Ann. St., Sec. 4118.

**Trustees—Corporate Powers—Seal—Make By-Laws.**

Sec. 2. Said school shall be under the control of a board of six trustees; the said board shall be and is hereby declared a body corporate by the name and style of "The Trustees of the State Normal School," and as such and by its said name may hold property for the use of said school, be party to all suits and contracts, and do all things thereto lawfully appertaining in like manner as municipal corporations of this state. The said trustees and their successors in

office shall have perpetual succession, shall have a common seal, and may make by-laws and regulations for the well ordering and government of the said corporation and its business not repugnant to the constitution and laws of the State. [L. '89, p. 410, Sec. 2; Mills Ann. St., Sec. 4119.

**Governor Appoint Trustees—Term of Office—Oath—Superintendent of Public Instruction Member.**

Sec. 3. The Governor shall, upon the approval of this act, appoint by the advice and with the consent of the senate, the six trustees mentioned and provided in this act, two of whom shall be appointed for the term of two years, two for the term of four years and two for the term of six years. Their terms of office shall begin from their appointment and qualification, and shall continue for the period for which they shall be so appointed and until their successors are appointed and qualified. Every two years after the first appointment aforesaid, two trustees shall be appointed in like manner to succeed those whose terms are first thereafter to expire. Every trustee so appointed shall take and subscribe the oath of office prescribed by the constitution of this State before entering upon the duties of his office, which oath shall be placed and kept on file in the office of the Secretary of State. The Superintendent of Public Instruction shall be, *ex officio*, a member of the board of trustees of the said State Normal School. [L. '89, p. 410, Sec. 3; Mills Ann. St., Sec. 4120.

**Part of Public School System—Apportionment of Funds—Supervisory Powers Over.**

Sec. 4. Said normal school is hereby constituted an integral part of the public school system of this State, and shall stand upon the same basis as to apportionment of State school funds as union high schools, and shall be subject as such to the general supervisory powers vested by the constitution in the

State Board of Education. [L. '89, p. 410, Sec. 4; Mills Ann. St., Sec. 4121.

**Powers of Trustees.**

Sec. 5. Subject to the constitutional powers of the State Board of Education, the Trustees of the State Normal School shall have the general supervision of the State Normal School, and the control and direction of its funds and the appropriations therefor. They shall have power to appoint a faculty, consisting of a principal and assistant principal, and such other professors as may be required therein; they may also appoint such assistant teachers as are found necessary. They shall also have power to remove said principal or assistant principal, or any professor, teacher or employe in or about said school, and to appoint or employ another or others instead; to fix the salaries of each, and to prescribe their several duties. They shall, with the advice and consent of the faculty, prescribe the various books to be used in said school, the courses of study and instruction, which in no case shall cover a period of less than three years, and shall make all the needful rules, regulations and by-laws for the good government and management of the same. [L. '89, p. 411, Sec. 5; Mills Ann. St., Sec. 4122.

**Provide Grounds, Buildings, Apparatus.**

Sec. 6. Said board of trustees shall also have power, and it shall be their duty from time to time, as means shall be provided and placed at their disposal, to provide suitable grounds and buildings, either by donation, purchase or lease, for the use of said school, and, in their discretion, shall also provide all proper and needful apparatus, books, articles and things for teaching and illustrating the branches of study authorized in said school. [L. '89, p. 411, Sec. 6; Mills Ann. St., Sec. 4123.

**Qualifications for Admission—Examination—Declaration.**

Sec. 7. The said board of trustees shall prescribe the qualifications for admission of students to said

normal school. Every applicant for admission shall undergo an examination by the faculty of said school, and if it shall appear that such applicant is not a person of good moral character, or fails to pass such examination, such applicant shall be rejected. Each applicant, except as hereafter provided, shall, prior to his or her admission, also sign and file with the board of trustees a declaration to engage in the business of teaching in the public schools of this State. [L. '89, p. 411, Sec. 7; Mills Ann. St., Sec. 4124.

**Open to Residents of State—Other Persons—Fees.**

Sec. 8. The State Normal School shall be open, subject to its regulations, to all persons resident in this state, sixteen years of age and upward, without charge for tuition; and to other persons under such regulations as the board of trustees may prescribe, upon payment of a rate of tuition to be fixed by said board, and without the aforesaid declaration of intention to teach in the public schools of this State; said board of trustees shall also fix the fees for admission of pupils to the practice department of said normal school. [L. '89, p. 412, Sec. 8; Mills Ann. St., Sec. 4125.

**Officers of Boards—Duties—Bond.**

Sec. 9. The board of trustees shall elect from among their number, at the first and every succeeding annual meeting of said board, a president, who shall preside at all meetings and perform such duties as are incumbent upon such office. The board shall also elect a secretary, who shall not be a member of the board, and who shall hold office for the term of one year, and until his successor shall be elected and qualified. The said secretary shall give bond in a sum to be fixed by the Superintendent of Public Instruction, for the faithful handling and true accounting and delivery of all moneys and property of said school coming to his hands or control, which bond

shall be filed with the Secretary of State, after approval of the sureties thereon by the said board of trustees. No secretary elected as aforesaid shall receive into his possession or control any money or property of said normal school until after he shall have executed his bond and the same shall have been approved and filed as aforesaid. The State Treasurer shall be, *ex officio*, treasurer of the State Normal School. [L. '89, p. 412, Sec. 9; Mills Ann. St., Sec. 4126.

**Diplomas—Examination—Graduation.**

Sec. 10. The State Normal School is authorized to grant diplomas to such students as shall have completed the full course of instruction in said normal school, shall have been recommended by the faculty, and shall have passed a final examination upon the branches embraced in the prescribed course of study; such examination to be conducted by the examining board, consisting of the State Superintendent of Public Instruction, a county superintendent of schools within the State, appointed for the purpose by the Governor, and the principal of said school. Such diploma, when signed by the members of said examining board and the president and secretary of the board of trustees, shall be evidence that the receiver thereof is a graduate of the state normal school, and entitled to all the honors and privileges of such graduates. [L. '89, p. 412, Sec. 10; Mills Ann. St., Sec. 4127.

**Diploma License to Teach—License Annulled.**

Sec. 11. The said diploma shall license the receiver thereof to teach in any of the public schools of this state, when a certified copy thereof shall have been filed in the office of the county superintendent of schools in the county wherein such graduate is teaching or proposes to teach. Such license may be annulled by the State Superintendent of Public Instruction, who shall give immediate notice thereof to the several county superintendents of the state, and such

license may be suspended in any county by the superintendent of schools for such county, pending the action of the Superintendent of Public Instruction. [L. '89, p. 413, Sec. 11; Mills Ann. St., Sec. 4128.

**No Fee for Diploma.**

Sec. 12. No fee shall be charged or received for any diploma or certificate authorized by this act. [L. '89, p. 413, Sec. 12; Mills Ann. St., Sec. 4129.

**Compensation of Trustees.**

Sec. 13. The trustees of said normal school shall be entitled to receive five dollars per day and their necessary traveling expenses, when actually employed in the performance of their duties as such trustees. [L. '89, p. 413, Sec. 13; Mills Ann. St., Sec. 4130.

**Board Receive and Hold Money and Property.**

Sec. 14. The board of trustees of the said normal school shall have power to receive, demand and hold for the uses and purposes of said school such money, lands or other property as may be donated or devised for or thereto, and to apply the same, within the powers conferred by law, in such manner as shall best subserve the interests and objects of said normal school. [L. '89, p. 413, Sec. 14; Mills Ann. St., Sec. 4131.

**Funds and Revenues Apportioned.**

Sec. 15. The funds and revenues for the establishment and maintenance of said normal school, for the payment of its officers, teachers and employes, and for all purposes incident thereto or necessary for the proper founding, continuance and successful conduct thereof, shall be appropriated and apportioned in such manner as the general assembly shall by law provide. [L. '89, p. 413, Sec. 15; Mills Ann. St., Sec. 4132.

**Report of Trustees—Contents—Verification.**

Sec. 16. The trustees of the State Normal School shall make and file with the State Board of Educa-

tion, on or before the first day of August in each year, a report of the affairs and conduct of said normal school during the year last preceding such report. Said annual report shall be made upon blanks prepared by the Superintendent of Public Instruction, approved by the State Board of Education, and shall include the following, viz. :

First—The number of students enrolled during the preceding year, their sex, age, residence and place of birth.

Second—The attendance each day; the average attendance for each week and term, and during the year; the number of days the school was taught in the year.

Third—The full curriculum of instruction in said school; the classification and departments thereof; the branches taught; time devoted to each; text books and apparatus in use; number of books in the library; requirements for admission and graduation, with dates and requirements for examinations.

Fourth—The number of students in each department and class; number of diplomas granted, and to whom; number, names and residence of graduates; number of suspensions and expulsions, and cause of same.

Fifth—The names and number of teachers in each class and department length of time each has been employed, and salary paid to each.

Sixth—Names, individual employment and number of all other employes in and about the school, with rate and amount of wages paid to each.

Seventh—A full financial statement, classified and itemized, of the business department of the school and corporation, covering receipts and expenditures from and by all sources, and in such form as to show the average cost of the school per month for each pupil, and in gross for the year; cash on hand or deficit at the beginning and end of year.

Eighth—An estimate of necessary expenditures, ordinary and special, for the next ensuing year.

Ninth—Such other particulars as the said board of education may require, necessary to a fair and complete showing and fair understanding of all the affairs of said normal school.

Said report shall be signed by the president and secretary of the said board of trustees, and verified by the oath of one or more of their number. [L. '89, p. 414, Sec. 16; Mills Ann. St., Sec. 4133.

#### COLORADO SCHOOL FOR DEAF AND BLIND.

Institute Located at Colorado Springs.

1. There shall be permanently maintained at the city of Colorado Springs, in the County of El Paso, an institution for the support and education of the mute and blind residing within the State of Colorado. [G. L. '77, p. 653, Sec. 1891; G. S. '83, p. 730, Sec. 2430; Mills Ann. St., Sec. 2430.

Body Corporate—Name—Powers.

Sec. 2. Such institute shall be a body corporate under the name of "Colorado School for the Deaf and the Blind," and may sue and be sued, may take and hold real estate by gift, devise or otherwise, for the use and benefit of such school. [G. L. '77, p. 653, Sec. 1892; G. S. '83, p. 731, Sec. 2431; Mills Ann. St., Sec. 3250, as amended by L. '95, p. 223, Sec. 1; 3 Mills Ann. St., Sec. 3250.

Admission of Pupils—Support—County Superintendents—Report.

Sec. 3. Every blind, deaf or mute citizen of the State of Colorado, of sound mind, over six (6) and under twenty-one (21) years of age, shall be entitled to receive an education in said institute at the expense of the state. All applicants above the age of twenty-one (21) years may be admitted at the options

of the board. Each county superintendent of common schools shall report on the first day of June in each year to the superintendent of the School for the Education of the Deaf and Blind, the name, age, and postoffice address of every blind or deaf person of suitable age for admission to said school, residing in his county, including all such persons as may be too deaf or blind to acquire an education in the common schools.

Applicants for admission to said school from other states, if within the ages prescribed by this section, may be admitted upon payment of such a sum quarterly as the board of trustees of said school may determine. [G. L. '77, p. 656, Sec. 1902; G. S. '83, p. 733, Sec. 2441; Mills Ann. St., Sec. 3253, as amended by L. '95, p. 223, Sec. 1; Mills Ann. St., Sec. 3253.

1. County Superintendent ascertain number of deaf mutes. Sec. 54.

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## FLAGS.

### DISPLAY BY SCHOOLS.

An Act to authorize school directors to purchase and display United States flags upon school buildings. Approved March 26, 1891. In force June 24, 1891. [L. '91, p. 322.

#### Directors Purchase Flag—Flagstaff—Display.

Section 1. The school directors of the several school districts in this state may purchase or cause to be purchased a suitable American flag of standard bunting, not less than eight by twelve (8x12) feet in size, and they may erect and maintain or cause to be erected and maintained upon each public school building or the grounds belonging thereto, a suitable flagstaff with the necessary appliances for displaying said flags, and may cause said flag to be displayed upon said staff upon all National and State holidays, the first and last days of each school term, and such other occasions as such school directors shall prescribe. [L. '91, p. 322, Sec. 1; 3 Mills Ann. St., Sec. 4015 a.

**Each Department Keep Flag.**

Sec. 2. Every school within this State may have placed and kept in a conspicuous position in each department thereof at least one American flag of standard bunting, not less than three by five (3x5) feet in size. [L. '91, p. 322, Sec. 2; 3 Mills Ann. St., Sec. 4015 b.

**Expense of Purchasing and Care of Flag.**

Sec. 3. It shall be lawful for the school directors of each school district in this state to pay for said flags and staffs and to provide for the proper care and maintenance of the same, from any special school funds which they may have in their hands or which may be subject to their order, or to include the School Laws of the State of Colorado—27 . . . . . expense thereof in the next annual estimate for school expenses, or in any tax levy for school purposes; and the expense thereof for any public school shall be met by said directors or other officers charged with the duty of raising or appropriating any money for school purposes as any other necessary expenses or expenditures for school purposes are raised. [L. '91, p. 323, Sec. 3; Mills Ann. St., Sec. 4015 c.

**Applies to All Institutions.**

Sec. 4. This act shall be held to apply to all institutions directly or indirectly under the control of the State of Colorado or any of its officers, and it shall be the duty of such officer or officers to see that this act is complied with. [L. 91, p. 323, Sec. 4; 3 Mills Ann. St., Sec. 4015 d.

**Injury to Flag.**

Sec. 5. Any person who shall wilfully injure, deface, or destroy any flag, flag-staff, or other materials placed in any room or building or upon any building or school grounds for the carrying out of this act, shall be deemed guilty of a misdemeanor

and punished accordingly. [L. '91, p. 323, Sec. 5; 3 Mills Ann. St., Sec. 4015 e.

**Superintendent of Public Instruction Publish Act.**

Sec. 6. It shall be the duty of the Superintendent of Public Instruction to publish this act in connection with the school law of this state. [L. '91, p. 323, Sec. 6; 3 Mills Ann. St., Sec. 4015 f.

**DISPLAY ON PUBLIC BUILDINGS.**

An Act relating to the display of flags on public and private buildings, and in processions and parades, and providing a penalty for the violations of this act. Approved March 5, 1895. In force June 3, 1895. [L. '95, p. 177.

**Display of Flag Other Than United States.**

Section 1. It shall be unlawful to display any flag upon any State, County or Municipal buildings in this State, except the flags of the United States; Provided, however, That whenever any foreigner shall become the guest of the United States, or of the State of Colorado, or of any city of this state, or upon the occasion of the visit of any foreign minister, envoy or ambassador in his official or representative capacity, the flag of the country of which such person shall be a citizen may be displayed upon such public buildings; and it shall be unlawful to display the flag of any anarchistic society upon any public or private building or in any street procession or parade within the state of Colorado. [L. '95, p. 177, Sec. 1; 3 Mills Ann. St., Sec. 1968 a.

**Violation.**

Sec. 2. Any violation of this act is hereby declared a misdemeanor and shall be punished by a fine of not less than fifty (50) nor more than five hundred dollars (\$500). [L. '95, p. 177, Sec. 2; 3 Mills Ann. St., Sec. 1968 b.

## KINDERGARTENS.

An Act to empower the school board of any district to establish and maintain free kindergartens for the instruction of children between three and six years of age. Approved and in force March 14, 1893. [L. '93, p. 436.

**Free Kindergartens May Be Established—Cost.**

Section 1. The school board of any school district in the state shall have power to establish and maintain free kindergartens in connection with the public schools of said district, for the instruction of children between three and six years of age, residing in said district, and shall establish such courses of training, study and discipline and such rules and regulations governing such preparatory or kindergarten schools as said board may deem best; Provided, That nothing in this act shall be construed to change the law relating to the taking of the census of the school population or the apportionment of state and county school funds among the several counties and districts in this state; Provided, further, That the cost of establishing and maintaining such kindergartens shall be paid from the special school fund of said districts, and the said kindergartens shall be a part of the public school system and governed as far as practicable in the same manner and by the same officers as is now, or hereafter may be, provided by law for the government of the other public schools of the state; Provided, further, That teachers of kindergarten schools shall have a diploma from some reputable kindergarten teachers' institute, or pass such examination on kindergarten work as the kindergarten department of the State Normal School may direct. [L. '93, p. 436, Sec. 1; 3 Mills Ann. St., Sec. 4015 g.

1. See Constitution, Art. IX., Sec. 11.

REPORT OF FINES IMPOSED.

An Act to provide for reporting fines collected for the benefit of the general school fund. Approved March 2, 1893. In force May 31, 1893. [L. '93, p. 304.

Justice Report—Fines.

Section 1. Every justice of the peace or other magistrate by whom any fine or penalty has been imposed which under the statute should be paid into the general school fund, shall at the next regular quarterly meeting of the board of county commissioners submit an itemized report showing date of trial, title of case, nature of offense and amount of fine, giving amounts collected, amounts uncollected, and accompany said report with receipts from the county treasurer for amounts so collected and paid over to him. [L. '93, p. 304, Sec. 1; 3 Mills Ann. St., Sec. 2775 a.

County Treasurer Render Statement.

Sec. 2. The county treasurer, at the time of rendering to the county superintendent of schools his quarterly certificate of taxes collected (as provided in section sixty-six (66) of chapter XCVII being general section three thousand and sixty-one (3061) of the General Statutes of the State of Colorado) shall show separately in said certified statement the amounts received from fines and by whom paid in. [L. '93, p. 304, Sec. 2; 3 Mills Ann. St., Sec. 2775 b.

Apply to Those Now in Office.

Sec. 3. This act shall be construed to apply to and effect those now in office during the remainder of their terms. [L. '93, p. 304, Sec. 3; 3 Mills Ann. St., Sec. 2775 c.

Repeal.

Sec. 4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed. [L. '93, p. 304, Sec. 4; 3 Mills Ann. St., Sec. 2775 d.

CITY OF CENTRAL.

An Act to amend the charter of the city of Central; to repeal sections 3, 4, 5, 6 and 7 of an act entitled "An act to amend an act entitled 'An act to incorporate the city of Central, approved March 11, 1864,' approved February 10, 1865;" to repeal all other acts and parts of acts in conflict herewith. Approved and in force April 4, 1899. L. '99, p. 195.

School District Organized in City of Central.

Section 1. Immediately upon the taking of effect of this act, a school district or school districts shall be organized in the City of Central, under the general school law of this state, and from and after the organization thereof, the public schools in said city shall be organized, managed and controlled in all respects in the manner provided by the general school law of this state. [L. '99, p. 195, Sec. 1.]

City Treasurer Pay Over Moneys to County Treasurer.

Sec. 2. The city treasurer of the city of Central is hereby authorized and directed to pay over to the county treasurer of Gilpin county, Colorado, for the use and benefit of such school district or districts, as may be organized in pursuance of this act, all moneys in his hands standing to the credit of the school fund or which may hereafter come into his hands belonging to the said school fund; Provided, That the county treasurer shall not be entitled to any fees of commission upon funds so received from said city treasurer. [L. '99, p. 195, Sec. 2.]

City Council Transfer Property.

Sec. 3. The city council of the City of Central shall provide by ordinance for the transfer, to the school district or school districts organized in pursuance of this act, of the title to all property, real and personal, belonging to, or in any wise appertaining to the public schools in said city. [L. '99, p. 195, Sec. 3.]

**Not Affect Contracts, Etc.**

Sec. 4. This act shall not affect in any way, form or manner any agreement, contract, liability or proceeding entered into, executed, incurred or done prior to the passage of this act. [L. '99, p. 195, Sec. 4. Repeal.

Sec. 5. That sections 3, 4, 5, 6 and 7 of "An Act to Amend an Act entitled 'An Act to incorporate the City of Central,' approved March 11, 1864," approved February 10, 1865, and all acts and parts of acts in conflict herewith, be and the same are hereby repealed. [L. '99, p. 195, Sec. 5.

**HIGH SCHOOLS.**

An Act to provide for the establishment and support of high schools in counties of the fourth and fifth classes. Approved April 8, 1899. In force July 7, 1899. L. '99, p. 267.

**Establishment of High School—Election.**

Section 1. At any general election subsequent to the passage of this act, the question of organizing any county of the fourth or fifth class as classified by law with reference to the salaries of district attorneys and county officers into one school district for high school purposes shall be submitted to the qualified electors of such county, provided a petition signed by fifty taxpayers resident therein asking that the question be thus submitted, shall have previously been presented to the county commissioners not later than their regular October meeting. At which time the first petition presented shall be alone considered. Said petition shall state the maximum amount of tax to be levied for the support of the high school which shall in no case exceed the limit fixed by this act. [L. '99, p. 267, Sec. 1.

1. Union High School. Sec. 33.

**High School Committee—How Selected—Officers.**

Sec. 2. Whenever a majority of the votes cast on the question of organizing any county of the fourth

or fifth class into one school district for high school purposes shall be in favor of such organization, the superintendent of schools of such county shall, by notification through the mail and by publication where practicable, call a meeting of the boards of directors of all the districts of said county, which meeting shall elect by ballot from among the members of said boards of directors a committee of four, which shall be known as the high school committee; Provided, That no two members of any board of directors shall, at the same time, be members of the high school committee, except in counties where there are fewer than four districts. The county superintendent of schools shall be, ex-officio, a member of the high school committee, and secretary thereof. The committee shall select from its members a president, and, if need be, a treasurer. [L. '99, p. 267, Sec. 2.]

1. Committee on Union High School. Sec. 34.

**Term of Office—Vacancy, How Filled.**

Sec. 3. The term of office of a member of the high school committee shall expire simultaneously with the expiration of his term of office as a director of the school district wherein he resides, and the vacancy thus created shall be filled by the boards of directors of the various districts of the county at a meeting held not later than thirty days subsequent to the occurrence of the vacancy. The secretary of the committee shall give each board of directors at least ten days' notice of the holding of such meeting. All vacancies caused in any other manner than by expiration of term of office shall be filled by appointment by the county superintendent of schools. [L. '99, p. 268, Sec. 3.]

**Meetings of Committee.**

Sec. 4. The regular meetings of the high school committee shall be held on the first Saturday of March, June, September, and December of each year, and special meetings may be held upon call of the

president or secretary of said committee, or upon call of any two members thereof. [L. '99, p. 268, Sec. 4.]

**Powers—Duties—Limit of Tax.**

Sec. 5. With reference to any high school organized under the provisions of this act, or heretofore organized, as a Union High School at any county seat, under section 3997, Mills' Annotated Statutes. The high school committee shall exercise all powers, and perform all duties, that are, at the time of adoption of this act, accorded to, and required off (of) directors of first and second-class districts throughout the state; provided, that the amount of tax certified to the county commissioners for the maintainance (maintenance) of the high school shall in no case exceed two mills on the dollar of the assessed valuation of the county. [L. '99, p. 268, Sec. 5.]

1. Section 3997 referred to is Sec. 33 hereof.

**Admission—Tuition Fee.**

Sec. 6. Admission to any high school organized and maintained under the provisions of this act, or heretofore organized as a union high school at any county seat, under section 3997 Mills' Annotated Statutes, shall be upon terms prescribed by the high school committee; but no tuition fee shall be exacted from any resident of the county wherein such high school exists. [L. '99, p. 269, Sec. 6.]

1. Section 3997 referred to is Sec. 33 hereof.

**High School Tax—Commissioners Levy—Collected.**

Sec. 7. It is hereby made the duty of the county commissioners of any county wherein a high school is organized under the provisions of this act, or heretofore organized as a union high school at any county seat, under section 3997 Mills' Annotated Statutes, to levy annually at the time of levying taxes for other purposes, a high school tax on all the taxable property of the county, said tax not to exceed two mills

on the dollar of the assessed valuation. The high school tax shall be collected in the same manner as other taxes are collected, and shall be paid out by the county treasurer on warrant drawn by the secretary of the high school committee, signed by the president and countersigned by one other member. [L. '99, p. 269, Sec. 7.

1. Section 3997 referred to is Sec. 33 hereof.

#### Increase of Tax Levy.

Sec. 8. Whenever, subsequent to the organization of a high school under the provisions of this act, it shall deem desirable to increase the tax levy for high school purposes, beyond the maximum fixed by the original petition, the question of such increase may be submitted to the qualified electors of the county in the manner provided by section one of this act for the submission of the original question. [L. '99, p. 269, Sec. 8.

#### INTEREST.

##### Rate of Interest.

Sec. 4. County orders and warrants, town and city and school orders and warrants and other like evidences or certificates of municipal indebtedness shall bear interest at the rate of six per centum per annum from the date of presentation thereof for payment, at the treasury where the same may be payable, until there is money in the treasury for the payment thereof, except when otherwise specially provided by law, and every county treasurer, town treasurer and city treasurer to whom any such county, town, city or school order or warrant is presented for payment, and who shall not have on hand the funds to pay the same, shall endorse thereon the rate of interest such order or warrant will draw and the date of such presentation, and subscribe such endorsement with his official signature; Provided, That all such orders and warrants may be made to bear a

lower rate of interest than above specified, by special agreement between such counties, towns and cities issuing the same, and the person to whom such orders or warrants are issued. [L. '99, p. 324, Sec. 1.

#### LIMIT OF TAXATION.

An Act in relation to taxation; limiting the amount of the tax levies for county purposes, classifying the counties for the purpose of this act and repealing all acts and parts of acts in conflict herewith. Approved and in force April 8, 1899. L. '99, p. 408.

#### Classes of Counties.

Section 1. For the purpose of limiting the amount of the tax levies for county purposes, as hereinafter provided, the several counties in this State are hereby classified into ten classes, to be known as the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and ten classes. [L. '99, p. 408, Sec. 1.

#### Classification of Counties.

Sec. 2. The county of Arapahoe shall belong to and constitute the first class; the counties of Weld, El Paso and Pueblo shall belong to and constitute the second class; the counties of Boulder, Fremont and Las Animas shall belong to and constitute the third class; the counties of Elbert, Hinsdale, and Larimer shall belong to and constitute the fourth class; the counties of Chaffee, Clear Creek, Douglas, Jefferson, Lincoln, Rio Grande and Saguache shall belong to and constitute the fifth class; the counties of Cheyenne, Delta, Kiowa, Kit Carson, La Plata, Morgan, Otero, and Prowers shall belong to and constitute the sixth class; the counties of Costilla, Conejos, Custer, Dolores, Garfield, Gilpin, Gunnison, Eagle, Huerfano, Logan, Mesa, Montezuma, Montrose, Routt, Rio Blanco, Summit, Teller, Washington and Yuma shall belong to and constitute the seventh class; the counties of Baca, Bent, Lake, Ouray, Park, Pitkin, San Juan, San Miguel and Sedgwick shall belong to and constitute the eighth class; the counties of Archuleta, Grand and Phillips shall belong to and constitute

the ninth class; and the county of Mineral shall belong to and constitute the tenth class. [L. '99, p. 408, Sec. 2.

**Limit of Levy.**

Sec. 3. There shall be levied and assessed upon all taxable property, both real and personal, within the several counties of this state the following taxes: For ordinary county revenue, including the support of the poor and for the purpose of raising a fund to meet any unforeseen contingencies, such rate as may be necessary, not to exceed three mills on each dollar of valuation in counties of the first class; not to exceed six mills on each dollar of valuation in counties of the second class; not to exceed seven and one half mills on each dollar of valuation in counties of the third class; not to exceed eight and one half mills on each dollar of valuation in counties of the fourth class; not to exceed ten and one half mills on each dollar of valuation in counties of the fifth class; not to exceed twelve mills on each dollar of valuation in counties of the sixth class; not to exceed fifteen mills on each dollar of valuation in counties of the seventh class; not to exceed sixteen mills on each dollar of valuation in counties of the eighth class; not to exceed twenty mills on each dollar of valuation in counties of the ninth class; not to exceed twenty five mills on each dollar of valuation in counties of the tenth class; Provided, That any county may levy such rate as it may see fit for the erection, maintaining, repairing, leasing or renting of county buildings, for roads and bridges, bonds and interest thereon, or judgment bonds and interest thereon and for school purposes. [L. '99, p. 409, Sec. 3.

1. School boards certify amount of levy. Sec. 67.

**Repeal.**

Sec. 4. All acts or parts of acts in conflict with this act are hereby repealed, so far as the same conflict with this act. [L. '99, p. 409, Sec. 4.

## SALARIES OF COUNTY SUPERINTENDENTS AND DEPUTIES.

An Act to provide for the payment of salaries to certain officers, to provide for the disposition of certain fees, and to repeal all acts inconsistent therewith. Approved April 6, 1891. In force July 5, 1891. [L. '91, p. 307, as amended by L. '99, p. 389.

## Classification of Counties—Salaries—Mileage.

Sec. 14. For the purpose of regulating the amount of compensation of county superintendents of schools, the counties of the state are divided into seven classes, as follows: Arapahoe, El Paso and Las Animas shall be first class; Pueblo, Weld, Boulder and Fremont shall be second class; Conejos, Gilpin, Huerfano, Lake, Larimer, Mesa, Montrose and Otero counties shall be third class; Chaffee, Clear Creek, Douglas, Delta, Eagle, Elbert, Garfield, Jefferson, Gunnison, La Plata, Ouray, Rio Grande, Pitkin, Park and Saguache shall be fourth class; Bent, Custer, Cheyenne, Kit Carson, Logan, Montezuma, Prowers, Routt and San Miguel shall be fifth class; Archuleta, Baca, Costilla, Grand, Kiowa, Lincoln, Morgan, Mineral, Phillips, Rio Blanco, Sedgwick, Summit, Washington and Yuma shall be sixth class; Dolores, Hinsdale and San Juan shall be seventh class.

County superintendents of schools shall receive the following compensation, to be paid quarterly out of the county treasury, to-wit: In counties of the first class, an annual salary of twenty-eight hundred dollars (\$2,800); in counties of the second class, an annual salary of two thousand dollars (\$2,000); in counties of the third class, an annual salary of twelve hundred dollars (\$1,200); in counties of the fourth class, an annual salary of eleven hundred dollars (\$1,100); in counties of the fifth class, an annual salary of eight hundred dollars (\$800); in counties of the sixth class, an annual salary of five hundred dollars (\$500); in counties of the seventh class, an annual salary of one hundred dollars (\$100). In all but first and second class counties, boards of county

commissioners may allow mileage, not to exceed ten cents per mile, for distance necessarily and actually traveled in the performance of duty not to exceed an aggregate of three hundred dollars per annum in any county. [L. '91, p. 312, Sec. 14; 3 Mills Ann. St., Sec. 1936 u, as amended by L. '99, p. 394, Sec. 10.

1. County provide furniture, stationery, etc., for county officers. 1 Mills Ann. St., Sec. 804.

#### Deputies of County Officers—Compensation.

Sec. 17. Deputies and assistants may be employed by the sheriffs, county clerks, county treasurers, county assessors and county superintendents of schools, under the direction of the board of county commissioners for said counties respectively, and clerks of the district court under direction of the judge of said court, and shall be paid salaries out of the fees, commissions and emoluments of the office wherein employed (except employes of county assessor and of county superintendent, who shall be paid out of the county treasury), the compensation and time of service to be fixed by the board, the selection of said deputies and employes to be made by the officer authorized to employ them; Provided, That the provisions of this section relating to the county superintendents of schools shall apply only in counties of the first class. [L. '91, p. 313, Sec. 17; 3 Mills Ann. St., Sec. 1936 x, as amended by L. '97, p. 143, Sec. 1, as amended by L. '99, p. 395, Sec. 11.

#### Not Apply to Those Now in Office.

Sec. 25. This act shall not be construed to affect those now in office during their present term of office, but shall apply to all officers hereafter elected or appointed. [L. '91, p. 315, Sec. 25; 3 Mills Ann. St., Sec. 1936 f1.

#### Repeal.

Sec. 26. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed. [L. '91, p. 315, Sec. 26; 3 Mills Ann. St., Sec. 1936 g1.

TELLER COUNTY.

An Act to establish the county of Teller and the temporary county seat thereof; providing for the appointment of its precinct and county officers, fixing the terms of court therein, and attaching the same to certain congressional, senatorial, representative, judicial and normal districts. Approved March 23, 1899. In force March 23, 1899. L. '99, p. 410.

**County Treasurer Pay Over Money.**

Sec. 8. The county treasurers of the counties of El Paso and Fremont shall, as soon as the said county of Teller shall be organized, pay over to the county treasurer of said county of Teller all moneys and funds in their hands credited to the different school districts included within the boundaries of the said county of Teller for the use and benefit of said school districts. [L. '99, p. 413, Sec. 8.

# BLANK FORMS

## FOR THE USE OF

### School Officers and Teachers.

#### NO. 1. FORM OF OATH OF SCHOOL OFFICERS.

(See Sections 13, 22 and 47.)

State of Colorado, {  
County of ..... {

I, ....., do solemnly swear (or affirm) that I will faithfully perform the duties of..... of school district No....., in the County of....., to the best of my skill and ability; and that I will carefully keep and preserve all records, books and other property of the said district that may come into my hands, and deliver the same to my lawful successor in office; and, further, that I will support the constitution of the United States and the Constitution of this State, and the laws of this State, made in pursuance hereof; so help me God.

C..... D..... [Seal]

Subscribed and sworn to before me this..... day of....., 189...

E..... F.....

Remarks.—The foregoing oath should be taken before a county superintendent, notary public, justice of the peace, or some officer duly authorized by law to administer oaths. The county superintendent's oath should be filed with the county clerk within thirty days after his election, and the oath of district officers should be filed with the county superintendents within thirty days after their election.

## NO. 2. FORM OF COUNTY SUPERINTENDENT'S BOND.

(See Section 13.)

Know All Men by These Presents, That we A..... B....., C..... D....., and E..... F....., of the County of ....., and State of Colorado, are held and firmly bound unto the people of the state of Colorado, in the full and just sum of ..... dollars, lawful money of the United States, to which payment, well and truly to be made, we bind ourselves jointly and severally, our joint and several heirs, executors and administrators, firmly by these presents.

In Witness Whereof, We have hereunto set our hands and seals this ..... day of ....., A. D. 189...

The condition of the foregoing obligation is such, That, whereas, the above bounden A..... B..... was, on the .... day of ....., A. D. 189..., duly elected (or appointed, if that be the case) county superintendent of schools of the county aforesaid, for the term of .....;

Now, Therefore, If the said A..... B..... shall faithfully perform all the duties of said office, according to the laws which now are, or may hereafter be in force, and shall render a just and true account of all money or other property which may come into his hands or under his control as superintendent of the schools of said county, and shall deliver over to his successor in office all moneys, books, papers and property in his hands as such county superintendent, then this obligation shall be void; otherwise it shall remain in full force.

A..... B..... [Seal]

C..... D..... [Seal]

E..... F..... [Seal]

Signed, sealed and delivered in the presence of

L..... M.....

O..... P.....

Remarks—The penal sum named in the bond is to be fixed by the board of county commissioners, but in no case shall the sum be less than \$2,000.

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NO. 3. FORM OF A PETITION OF PARENTS AND GUARDIANS WHO DESIRE TO FORM A NEW DISTRICT FROM PARTS OF ONE OR MORE OLD ONES.

(See Section 27.)

To.....;

County Superintendent of Schools, ..... County:

We, the undersigned, residents of district (or districts) No. ...., respectfully represent that we desire to form a new district, with boundaries as follows, viz.: [Here describe the proposed bounds, following government lines as far as practicable.] We further declare that, collectively, we are the parents or guardians of at least ten children of school age, and we hereby certify that the list of names of persons of school age which is attached to and made a part of this petition, is a correct list of all such persons residing in the proposed district.



Remarks—Give postoffice address of some or all signers. The list of children should be carefully filled up by some person interested in the change before the paper is circulated for signatures.

---

NO. 4. FORM OF ORDER DIRECTING A PETITIONER TO GIVE  
NOTICE OF THE FORMATION OF A NEW DISTRICT.

(See Section 27.)

Office of  
County Superintendent of Schools,  
..... County, Colorado.

To C..... D.....:

You are hereby notified that I have received a petition signed by yourself and others, informing me that you desire to form a new school district of the territory described as follows, to-wit: [Description as above.] In order that the wishes of the residents of said proposed district may be ascertained, you will please notify, by personal service as far as convenient, each elector residing therein, and also post notices in three public places (one of which shall be the place of meeting) that such a petition has been made, and that a meeting will be held, naming the time and place of such meeting, to determine whether such district shall be formed. You will, also, please notify me by mail of the time and place of such meeting.

Respectfully yours,

.....,  
County Superintendent.

Remarks—In the formation of a new district, every step should be strictly in accordance with the law.

The notices posted should contain a clear description of the proposed district.

NO. 5. FORM OF NOTICE FOR A MEETING TO ORGANIZE A  
NEW DISTRICT.

## SCHOOL DISTRICT MEETING.

To all whom it may concern :

Whereas, It is proposed to organize a new school district of that part of ..... County described as follows, to-wit: [Description.] Notice is hereby given, as per direction of the County Superintendent of public instruction of said county, that a meeting of the electors residing within the boundaries afore-said will be held at ....., on the ..... day of ....., A. D. 189., at ..... o'clock .. m., when a vote will be taken by ballot, on the question whether or not the proposed district shall be organized. If the vote shall be in the affirmative, a Board of Directors will then be elected.

By order of ....., County Superintendent of Schools.

C..... D.....

Dated....., 189...

Remarks—After the organization, a copy of the notice and of the proceedings of the meeting should be sent to the county superintendent.

The ballot box should be kept open long enough to give every elector an opportunity to vote—never less than three hours.

If the proceedings were in accordance with the law, the county superintendent should number and record the district, and notify the secretary of his action.

NO. 6. FORM OF BOND TO BE GIVEN BY THE SECRETARY OR  
TREASURER OF EACH SCHOOL DISTRICT.

(See Section 47.)

County of ..... {  
State of Colorado, }

Know All Men by these Presents, That we,  
A..... B....., principal, and C.....  
D....., and E..... F....., sureties,  
are held and firmly bound unto School District No.  
....., in the County of ....., State of  
Colorado, in the full sum of ..... dollars, lawful  
money of the United States, to which payment, well  
and truly to be made, we bind ourselves jointly and  
severally, our joint and several heirs, executors and  
administrators, firmly by these presents.

In witness whereof, We have hereunto set our  
hands and seals this ..... day of .....,  
A. D. 189...

The condition of the foregoing obligation is such,  
That, whereas, the above bounden A.....  
B..... was, on the .... day of ..... A.  
D. 189..., duly elected (or appointed) Secretary (or  
Treasurer) of School District No. ...., in the County  
of ....., and State of Colorado, for the term  
of .....

Now, therefore, If the said A..... B.....  
shall faithfully discharge all the duties of said office,  
according to the laws which now are, or which may  
hereafter be in force, and shall faithfully apply all  
moneys which may come into his hands by virtue of  
said office, and shall deliver over to his successor in  
office all moneys, books, papers and property in his  
hands as said officer, within ten days after the same  
shall have been demanded by such successor, then this  
obligation shall be void; otherwise it shall remain in  
full force.

A.....	B.....	[Seal]
C.....	D.....	[Seal]
E.....	F.....	[Seal]

Signed, sealed and delivered in presence of

L..... M.....  
X..... Y.....

Remarks—The penal sum named in the above bond should be at least twice the amount likely to be in the hands of the officer at any one time during his term of office.

The bond must be filed with the county superintendent.

---

NO. 7. FORM OF REQUEST TO BE MADE BY TEN LEGAL VOTERS OF A DISTRICT TO THE BOARD OF DIRECTORS, FOR THE CALLING OF A SPECIAL MEETING.

(See Section 62.)

To the Board of Directors of School District No.....,  
in ..... County, Colorado:

The undersigned, legal voters of school district No. ...., in ..... County, Colorado, request you to call a special meeting of said district for the purpose of .....

Dated this ..... day of ....., A. D. 189..

A.....	B.....
C.....	D.....
E.....	F.....
G.....	H.....
L.....	M.....
O.....	P.....
Q.....	R.....
S.....	T.....
U.....	V.....
W.....	X.....

## NO. 8. FORM OF NOTICE OF SPECIAL MEETING.

(See Sections 62 and 63.)

Notice—A special meeting of the legal voters of School District No. . . . , in the County of . . . . . , called on the written request of ten legal voters (or called by the district board, as the case may be), will be held at (the district school house or other place) on the . . . . . day of . . . . . , 189. . . , at . . . . o'clock (p. m.), for the purpose of (here specify every item of business that is to be brought before the meeting.)

A. . . . . B. . . . .

Posted . . . . . , 189. .

Secretary.

Remarks—This notice should be posted at least twenty days previous to the meeting, in three separate public places within the district, and a copy furnished to the teachers of each school in the district, to be read once in the presence of the pupils.

Business not specified in this notice can never be lawfully transacted at such special meeting.

## NO. 9. FORM OF NOTICE OF ANNUAL MEETING.

(See Section 44.)

Notice is hereby given, That the annual meeting of the legal voters of school district No. . . . . , in the county of . . . . . , will be held (at the school house or other place) on Monday, the . . . . . day of May, 189. . , for the purpose of electing (one or more) directors, as provided by law.

The ballot box will be opened at the hour of . . . . m., and closed at the hour of . . . . m., and at . . . . m. the meeting will be organized for the transaction of any other business pertaining to school interests that may be brought before it.

. . . . . ,  
Secretary of School District No. . . . . ,  
County of . . . . .

Posted April . . . . , 189. .

Remarks—The secretary of the district should give at least six days' previous notice of the regular meetings of the district (see Section 44), and should post the notices and furnish a copy to the teachers in the same manner as for special meetings.

---

NO. 10. FORM FOR RECORDING PROCEEDINGS OF A MEETING  
HELD FOR THE PURPOSE OF ORGANIZING A NEW SCHOOL  
DISTRICT.

(See Sections 27 and 28.)

....., 189..

On the .... day of ....., 189.., a petition, of which the following is a true copy, was made to X..... Y....., county superintendent of public schools of ..... county, to-wit: (Here copy the petition.) Whereupon the said County Superintendent issued an order, of which the following is a copy, to-wit: (Here insert copy of the order.) In obedience to which order the following notice was posted, as required by section 27 of the school law, to-wit: (Here insert a copy of the notice.)

In pursuance of the above notice, the electors of the proposed new school district assembled at ..... at ..... o'clock ... m. The meeting was called to order by A..... B....., and, on motion, C..... D..... was elected chairman, and E..... F..... secretary. On motion, G..... H..... was elected to act with the chairman and secretary as judges of election. On motion of K..... L....., the electors began to vote by ballot upon the question of forming a new school district. The ballot box remained open for the reception of votes from .... o'clock ... m., until .... o'clock .... m. Upon counting the ballots it was found that ..... ballots were cast, of which ..... were in favor of the organization and ..... against.

On motion of J..... K....., the meeting proceeded to elect, by ballot, a board of directors.

The following are the names of the persons voting:  
(Here record the names of the persons voting.) The  
ballot resulted in the election of C..... D.....,  
president; E..... F....., secretary, and  
G..... H....., treasurer, etc., etc.

On motion of C..... D..... the meeting  
adjourned sine die.

C..... D.....,  
Chairman.

Attest: E..... F.....,  
Secretary.

Remarks—A copy of the proceedings should be  
sent to the county superintendent, together with the  
certificate of some elector, that the notice of the  
meeting was posted in three public places, as re-  
quired by law. The person who posted the notice  
should sign the certificate of posting.

If the district is formed from unorganized terri-  
tory, the secretary must send with this report a cer-  
tified list of the names of persons of school age re-  
siding in the district.

A permanent record of the proceedings should  
be made in the secretary's books.

---

NO. 11. FORM FOR RECORDING PROCEEDINGS OF A REGULAR  
OR SPECIAL MEETING OF THE DISTRICT.

The regular (or special, as the case may be) meet-  
ing of school district No. ...., in ..... county,  
Colorado, convened at ....., at .... o'clock (p.  
m.), pursuant to previous notice given by the district  
secretary.

The meeting was called to order by the Presi-  
dent.

The Secretary being absent, on motion of Mr.  
A....., C..... D..... was elected secretary  
pro tem.

Mr. S. . . . . moved that a tax of two mills on the dollar be voted for the purpose of building a school house for the district.

Mr. F. . . . . moved to amend by striking out "two" and inserting "five," which was agreed to, and the motion as amended was decided in the affirmative.

Mr. D. . . . . moved that a tax of one mill on the dollar be levied for the purpose of defraying the contingent expenses of the district.

Motion carried.

On motion of Mr. F. . . . . the meeting adjourned sine die.

L. . . . . M. . . . .,  
President.

Attest: C. . . . . D. . . . .,  
Secretary.

Remarks—Forms 10 and 11 are given with a view of assisting the inexperienced. Persons familiar with such duties may vary the form, provided that the proceedings are accurately recorded.

Much depends on the record of the proceedings of the district meeting; hence it should be correctly made and carefully preserved.

Under the law, the voting of a tax for any purpose must be, in each year, "On or before the day designated by law for the county commissioners to levy the requisite taxes for the then ensuing year," and school boards certify the same to the county commissioners.

NO. 12. FORM OF COUNTY SUPERINTENDENT'S NOTICE OF  
APPORTIONMENT TO THE DISTRICT SECRETARY.

Office of  
County Superintendent of Schools,  
..... County, Colorado.

To A..... B.....,  
Secretary of School District No.....,  
In ..... County:

You are hereby notified that I have this day ap-  
portioned to your district the sum of ..... dol-  
lars, of the general school fund, which amount has  
been placed to the credit of your district on the books  
of the county treasurer.

.....,  
County Superintendent.

Remarks—This notice should be sent immedi-  
ately after each apportionment.

---

TEACHER'S CONTRACT.

STATE OF COLORADO.

Date.....

M.....

At a meeting of the Board of Directors, held this  
.....day of .....189.., you were appointed  
to teach in the Public Schools of District No.....  
for the terms beginning.....and ending  
with the school month of....., at a salary  
of.....Dollars (\$....) per school month,  
payable monthly in warrants on the County Treasurer  
as provided for in Sections 53 and 68 School Law.

The conditions of this appointment are, that you  
will faithfully observe the rules and regulations  
adopted by the Board for the government of the pub-  
lic schools of this district; that you will exercise due

diligence in the preservation of school buildings, grounds, furniture, apparatus, books and other school property; that you will make promptly and correctly all reports of the school as required by the County Superintendent; that you will keep a correct register and file the same with the President or Secretary of the Board or the Principal of the school, at the close of the school year as required in Section 61 School Law; that you will hold a legal certificate of the . . . . grade, issued or approved by the County Superintendent of . . . . . County. The Board reserves the right to increase or diminish the number of months of school that shall be held during the terms for which you are employed, by giving at least fifteen days' notice.

By the President, . . . . .

Attest: . . . . . Secretary.

I hereby accept the appointment to teach in the Public Schools of District No. . . . . , . . . . . County, on the conditions above stated.

Respectfully,

. . . . . Teacher.



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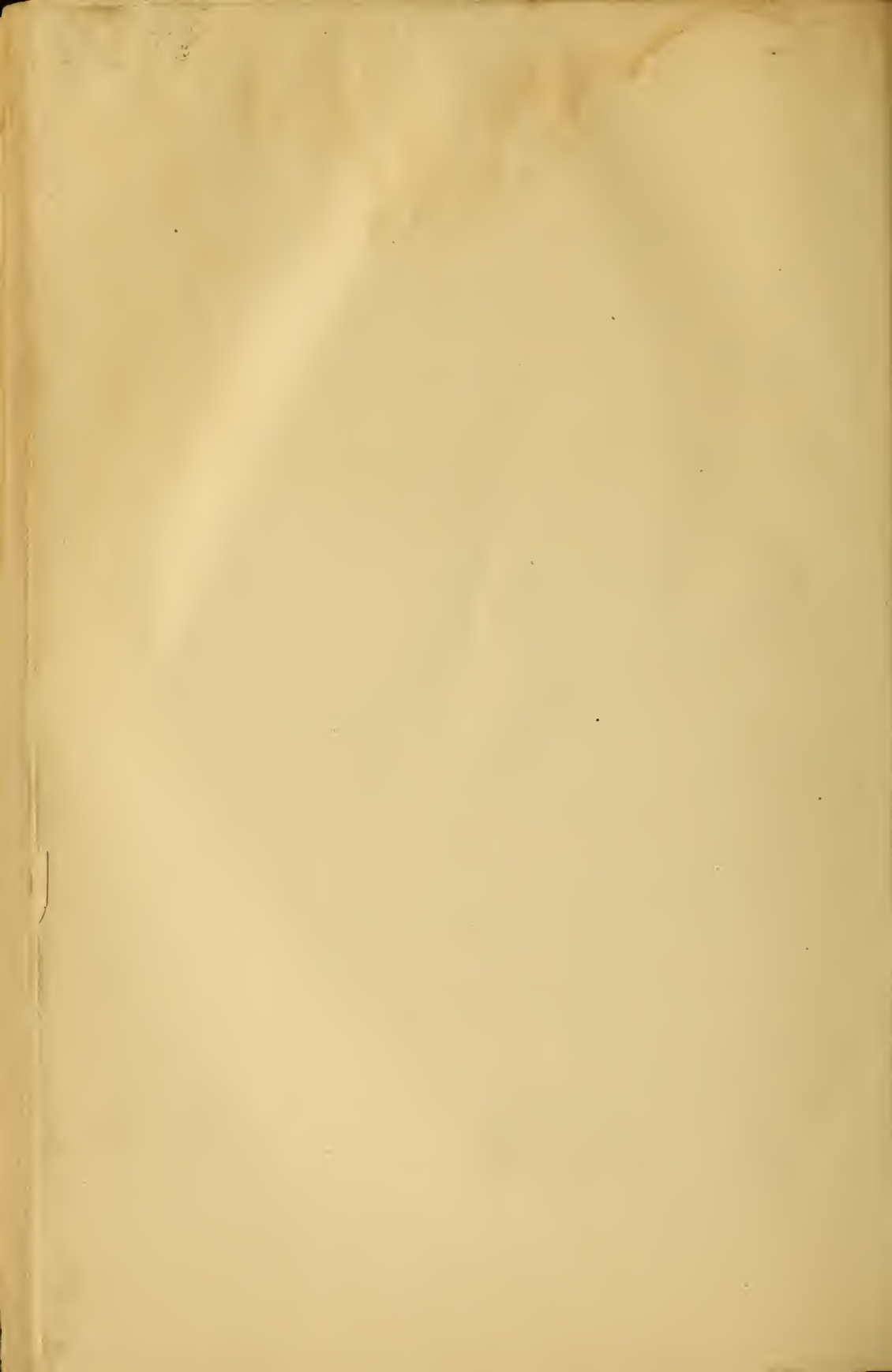
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